

THE TRUE DISSENTER, OR, THE CAUSE

Of those that are for
Gathered Churches.

BEING

A Right State thereof, proposed and settled upon its proper *foundations*: in *Opposition* to all *Compliance* that is *Sinful*, but in *Order* to that *Obedience* which is *Lawful*, and *Conducive* to the *Healing* of the *Nation*.

Occasion'd by some late Writings, and especially by a Book entituled, *The Cause of their Mix'd Churches against (or The Axe laid to the root of) Separation*.

Nonnulli propter quendam in se offendicula de quibus pie, religiosique monerantur, Episcopatus officium non solum sine culpa, sed cum laude posuerunt. Quid ista? Nisi quia sine Episcopatu vel Clericatu salvi esse possumus: sine Christiana vero Religione non possumus. August. contra Crescon. lib. 2. c. 11.

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[Stephen
Lobb]

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THE PREFACE.

Although there have been almost ever since the Reformation great Contests between the Episcopal Divines and Protestant Dissenters, yet 'tis no easie matter to shew, where lies the main Difference. There hath been a great noise about Church-Government, and Ceremonies, but no very clear or distinct Knowledge of what is chiefly intended by these Termes.

If we consult the Great Doctors, who have written in Defence of the Church of England, we find them to differ greatly amongst themselves, Whitgift, Saravia, Hooker, Bancroft, Bilson, Downam, Hall, Andrews, Usher, Cousins, Bramhall and Hammond, have given us their sentiments about the Episcopal Government. Some assert that there is no Form of Church-Government de jure divino; whence no Difference between a

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Bishop

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Bishop and a Presbyter in Scripture account : And others are for the Divine Right of The Episcopal Government, who yet differ about the Offices of a Bishop and Presbyter. Some say that they are of the same Order, and Differ only in Degree. Others, that they are of Different Orders. Of those that hold them to be of Different Orders, there are some who make the Bishops the Apostles Successors, and others think otherwise. Dr. Hammond doth aver, that every place of Scripture which mentioneth Bishops, or Presbyters, meaneth only Diocesan Bishops. But then he leaves us in the dark about the Office of the Parish Presbyter, which according to his Notion can by no means be an Office of Divine Institution, and yet I must confess that Dr. Burnet hath offered very fair for the help of Dr. Hammond; for as Dr. Hammond makes the Scripture Presbyters to be Diocesan Bishops : so Dr. Burnet* hath made the Deacons mentioned by St. Paul to the Philippians, and to Timothy, to signify the office of Presbyters ; and this is done to remove a vulgar prejudice, which is, that in the New Testament there

* Preface
to his History
of the Rights
of Princes pag.
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is no mention made of more than Two Orders [Bishops and Deacons] and that therefore the raising a Third Order was at first but an Humane and Political Device; but this (saith the Dr.) must vanish into nothing, if we carefully examine what is the Importance of the Term Deacon, which (as he will have it) signifies a Presbyter.

But although Dr. Burnet hath shewn us where to find a Parish Presbyter in Scripture, notwithstanding Dr. Hammond had transformed the Scripture Presbyter into a Diocesan Bishop; its manifest that we have lost one of the Three Orders of the Church of England, and until some one or other doth find out under some other Scripture-Term an office to answer that of our Deacons, the Church of England will be very little owing either to Dr. H. or Dr. B.

Dr. Cousins and Dr. Zouch have indeed given us a very particular description of the Church of England, but whether it be a just one is questioned by divers, and denied by some. So that notwithstanding the Severity of Penal Laws against Nonconformists, it's a very great
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difficulty to know what the Church of England is; or what is the Episcopal Government unto which Conformity is so strictly enjoyned; and I am sure it's impossible for any to conform with a good Conscience whilst they continue Ignorant of the thing unto which their Conformity is exacted.

Besides there are among the Conformable Clergy different Opinions about the Ceremonies; which are made Termes of our Communion with the Church of England. Some make them all parts of External Worship: and others affirm them only to be Decent Circumstances. Bishop Taylour saith that we have retain'd but One Uninstituted Ceremony that is a part of External Worship, viz. the Sign of the Cross; and Dr. Sherlock endeavours to prove that the Sign of the Cross is no part of Worship.

And as it is so very hard to know what we must Conform unto, so it's not very easie to shew What the Dissenters would be at, or what parts of Conformity they like or dislike. Some can by no means be for Clergy Conformity who yet Conform as Laymen: and there are others among the Dissen-

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Dissenters who think that Ecclesiastical and Statute Laws require as full Conformity from the People as from the Clergy, and that the Difference is only about the way of Discovering Assent and Consent. For what the Clergy do by Declarations and Subscriptions, that the People must do by their holding compleat Communion with the Church of England.

In a word, Some Dissenters think that the consideration of better Edification is sufficient to Justifie their partial Separation from the Church, and others are of the Opinion that unless there lyeth some Sin in their way they are bound in Conscience to conform.

On an Observation of these things I thought it highly expedient to Consult the Ecclesiastical Constitutions, and our Statute Laws, and see what light they gave touching the Ministry, Discipline, and Worship of the Church of England, and also to search the Writings of the most Judicious Nonconformists to find out what 'twas they did stick at, that I might, if possible, know where the Difference lay, and what was the cheif cause of all our Maladies and hurtful Divisions. And this
much

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much I have according to the best of my skill attempted in the ensuing Treatise, and I think I have given a right state of the Controversie, which may be reduced to these three Heads. 1. The Matter of an Instituted Gospel-Church. 2. The Form of such a Church: and 3. The Imposed Terms of Communion.

I have shewn what the Church of England, and what the Nonconformists judge of these things, and without Fear or Flattery have declared how great the Difference is, and must ingenuously confess, that such is the Constitution of those Churches the Dissenters generally do believe to be of God, that the Divine Right of a National Church Government, whether Episcopal, or Presbyterian, makes Union a thing impossible.

The Controversie, which is about the Matter of Churches will soon be at an end, if the Church of England will but bring their practice to their avowed principles, which are published every time any are baptized by their Clergy,

It's true there are some Wise men amongst them who seeing this to be very clear, and finding that the Restraining their Practice

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to their Principles would destroy their Mix'd Churches, have made a search after wider Principles, and have formed such a Notion about the Matter of Instituted Churches, as may be of use to the larger ſize of Presbyterians, but not to the Church of England, whoſe mixed Congregations cannot be brought within ſo narrow a Compaſs as this new principle preſcribes, ſo that though there is much weight and candour diſcover'd to be in the Notion, yet it doth not only look rare to the generality of Proteſtants, who take it to be the ſquaring principles to a Corrupt praſtice, but it fall's ſhort of its main deſign: However for the weight that's in it I have fairly propoſed it.

But the great Point in Controverſie is about the Form of Instituted Churches. The True Diſſenter doth think, that Dr. Couſins and Zouch have given the faireſt account of the Form of the Episcopall Churches, and what moſtly correſponds with the Eccleſiaſtical and Statute-Laws of this Land, as I have ſhewn, and if in this the Diſſenter judge rightly the Episcopall ſpecies of Churches, the very ſpecies or kind of their Miniſtry and Diſcipline muſt be acknowledged to be deſtructive of thoſe Churches the Diſſenters do bold of Divine
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Institution, and they cannot without Laying a violence on their Consciences approve it.

The Dissenters not being able to find in Scripture any such Office as that of the Diocesan Bishop, doe esteem the placing such an Office in the Church to be very like the erecting a New Office in the Civil Government, contrary to the Fundamental Laws thereof, or at least without the Consent of the Legislative Power. And as the Parish Minister is of an office of which the Sollicitudo Pastoralis, is no part, they find no such Office of Divine Appointment, nor can they see that such Ministers have any more Right to dispense the Holy Sacraments than either a Physitian, or Lawyer; for as they are Parish Ministers of Legal Establishment, they want what is Essential to the Office of a Gospel Presbyter, to whom alone the Authority and Obligation of Administring the Sacraments is by Jesus Christ committed, and therefore can have no more right to do it than either the Physitian, Lawyer, &c. have.

Here then lyes a chief Ground of the present Separation, and that which makes separation more Necessary now than in 2. Elizabeth's dayes, for then the Sollicitudo Pa-

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Pastoralis was a part of the Parish Minister's Office, and although he was denyed the exercise of some Part of it, yet he remained vested with the Authority and Obligation, but now, as I have proved, the case is altered, and the Diocesan Bishop and the Parish Minister made quite another thing than before. Now the Bishop, as such, is not the King's Officer circa sacra, but Christs pastour of a Diocesan Church which is made a particular Church of the Lowest rank and the Parish Minister is not, as formerly, the Pastour of his Parish, But the Bishops Curate, a Sub-half-Presbyter.

If the Species of their Church Government be not as I have with Dr. Cousins and others represented it to be, 'twill be extremely necessary that the Reverend Bishops do give us a more exact description of it, and shew us, whether the Diocesan Churches now by Law established be single Churches infimæ speciei, and, whether the Bishop be the sole pastour of this Church: or Whether the Diocesan Church be a compounded Church made up of many many single Parochial Churches, and Whether the Parish Minister be vested with

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with the Pastoral Office and the Bishop is a Pastour of Pastours, or what else is the Church of England?

See Mr.
Baxters first
plea for Non-
conformists.

The Controversie about the Imposed Termes of Communion I have handled only in the general, and do therefore refer the Reader to such as have enumerated the many particulars in the Liturgy, which to consent to is in the Judgement of the True Dissenter sinful, and yet I have particularly shewn what it is the Law requires Conformity unto, whereby Some Dissenters, who flatter themselves with the Fancy that their going to Church to escape the penalty of the Law is not Approving what the Law requires, may be undeceived.

*After I had given a just account of what I apprehended to be the Judgement of the Church of England, and of the TRUE DISSENTER, who is a thorough Nonconformist and cannot hold communion with the Parish-Churches in the Liturgick worship as by Law required, the Difference appeared to be so very great, that I could not but think it necessary to make some Enquiry after an Uniting Expedient but never could pitch on any thing at all agreeable, but that one dedica-
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ted some years ago to the Lord Marquess
Halifax, which I have therefore very
briefly and impartially Stated, and do
humbly present the consideration thereof to
our Superiours, as what may firmly Unite
the several Dissenting Protestants with
the Church of England.

ERRATA.

and some years ago to the Lord Bishop of
Bristol, who I have thought fit to
publish, and I have thought fit to
publish the same in this Edition.

ERRATA.

PAGE 1. l. 8, 9. for Nonconformist r. Conformist. p.
10. l. 18. d. all. p. 15. l. 1. for Patients r. Pa-
tents. p. 16. l. 25. for change r. challenge. l. 26. r.
and after [again] p. 23. l. 33. for 26. r. 20. p. 29.
l. 29. for 16. r. 6. p. 33. l. 20. after [in force] r.
may clearly see the Truth of this. p. 36. l. 7. after
[find] r. the. p. 47. l. 29. d. all. p. 59. l. 6. for [or
five] r. and five. p. 61. l. 30. for [Diocesan] r. Dio-
cesis. p. 63. l. 25. after [must] r. so far. l. 33. after
[themselves] add [to have any governing Power over
the Parish, they own themselves.] p. 65. l. 2. after [they]
r. will. l. 15. for Formed r. Framed. p. 66. l. 2. for
the r. their. l. 15. for his r. this their. p. 93. l. 16.
after [vita] r. et. p. 110. l. 25. for [the] r. He. p.
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12. for taken r. taking.

THE TRUE DISSENTER.

The Introduction.

TIs too much known, that in this Kingdom, partly by a strict enjoining, and partly by a stiff opposing Uniformity, a most unhappy Division hath ensued: which of late years is come to a greater heighth than formerly, not only between the *Conformist* and *Nonconformist*; but between *Conformist* and *Nonconformist* on the one hand, and *Conformist* and *Nonconformist* on the other. For, as some Conformists are for Severity against all Dissenters, others are for relaxing it as to some: and as some Nonconformists are against all Compliances, others are as much for some Conformity: so on all hands, there are strange Contentions, and Animosities, accompanied with too much Envy, Hatred, and every evil work.

To bewail, and lament the mischievous effects of our Divisions, and their Causes

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is the duty of all: To attempt the *Healing* of them is the intent of this present Discourse.

It's no part of my province to pass Censures on any, 'tis the grief of my Soul to observe on both sides, what I dare not publish, but desire secretly to bear on my heart before the Lord. My principal business is to enquire impartially after the true cause of the present Distempers, and to offer what I humbly apprehend to be the only effectual way of Cure. And this I will do in this Method.

1. I will give a just *description* of the *Church of England*, and shew what she declares her self by her Laws and Constitutions to be: and what she requires from all English men that hold Comunion with her.

2. I will give a short, but true account of the *Principles of Protestant Dissenters*, and the Constitution of their Churches. In doing which, I shall shew where lies the chief ground of our *Divisions*. And then in the Third place.

3. I will propose, what is (as I think) the only *Necessary thing* to be done for the ending our *Divisions*, and the knitting all the Protestants of the *English Church* into a firm, and lasting Establishment in our present Religion.

Chap.

CHAP. I.

Some things Premis'd which are fit to be considered in order to our clearer understanding the Historical Description of the Church of England. The Description given in several Aphorismes. What is required of all English men that hold communion with the Church of England particularly shewn.

SECT. I.

The Premises.

IN giving a just Description of the Church of England, and of what she enjoynes as Necessary to Communion with her, I shall but do the part of an Unbiass'd Historian. In my endeavours to know what the Church is, my Searches have been after the Truth of matter of Fact, touching what the Ecclesiastical constitutions and Rubricks, and Laws of the Land declare her to be.

They go the wrong way, who first frame a platform of what the Church *ought* to be, and argue against Dissenters from such a fancy; yet this has been the practice of some great men amongst the Dissenters [even of Mr. Baxter] in their opposing Dissenters.

As for my own part, I wish with all my heart I could find the Church of *England* to be what she *ought* to be. I'm sure 'twould be much more for my peace and comfort in this life, as all know that know me: but 'twould be an Idle thing in me to proceed on *mistakes*, and dangerous to walk by a Mistaken Rule.

I have spent some years in my endeavours to know what the Church of *England* is, and have been the more curious in my disquisitions, because the great Doctors of the *Church* are so lame, and imperfect in the account they give of it. I have impartially ravel'd into those broken Histories we have left us of the first plantation of the Gospel by *Joseph of Arimathea*; and I have consulted several *Charters*, given to divers *Abbies*, especially that of *Glastonbury*, where I find some intimations of the Gospel's being first preached in that *Island*; I have diligently perused *Malmesbury's* Antiquities of *Glastonbury*, *Bede*, and many other of our English Historians; and have carefully compar'd my own readings with Bishop *Godwins* History of Bishops, Archbishop's Ushers *Primordia*, and Sir *Henry Spelman*, and have (as in another book, if God give life and opportunity, I intend to shew) framed some conceptions of the state of the Church from *Joseph of Arimathea* to King *Lucius*; from thence to the Coming over of *Germanus*, and *Lupus* to repell the

the *Pelagian* Heresy; from them to *Austin* the Monks coming to *Canterbury*; from that time to *William* the Conquerour; and from him to *Henry the 8th*, and from *Henry the 8th*. to the end of *Q. Elizabeths* Reign: and there I stop: For although the Church in all those periods ran through divers states, yet the Diocesan Episcopacy and the National Church Government by Archbishops, Bishops, Deans, and Chapters, &c. was never either by the Civil or Ecclesiastical Authority declar'd to be Apostolical, or *de jure Divino*, until King *James* first entred the English throne, and then it was.

King *James* being brought up amongst the *Scotch-Presbyterians*, who were for the Divine Right of a National Church Government, was in his tender years impos'd on to belive throughly the Divine Right of a National Church Government in *Theft*, and woful experience shewing him the mischiefs, that attended the *Presbyterians* in particular, he was easily induc'd by *Bancroft* to yield unto what *Q. Elizabeth* would never endure, *viz* the Divine Right of the National Episcopal Church of *England*.

This being manifest (as I hope in the proccs to evince); the Notion, which in my enquiry about the present state of the Church, I was, by the Constitutions and Law now in force, directed to frame, appeared very new. I could not find it any

older then the first of King *James*. For till then, *parochial* Churches were by the Law of the Land esteemed the only particular Churches of Divine Right. Parish Ministers were Pastors, and though denied the exercise of some part of their Power, yet not by any Law deprived of it. The Bishops were not acknowledged to be *Christs Pastours*, but only the *Princes Ministers*, and consequently their Superiority above Presbyters was not given them by Christ, but only by the King the supreme Head and Ordinary of the Church of *England*; the Government of which Church as *National* was but of Humane Constitution, owing to the Civil Magistrate alone for it's being what then it was.

That this may with the greater conviction appear to the Reader, I will give in short a true state of the National Church Government, that has been exercis'd in this Land. Which, on a diligent search into our old Historians, who treat of Ecclesiastical affairs, will be found to be what the *Convocation* in *Henry* the 8^{ths} dayes declared it to be, which in effect is this, namely, *That there are but Two orders only, viz. that of Priests and that of Deacons instituted by Jesus Christ, That the Superiorities or prebeminences of one Bishop or Priest above another are only by an Humane Ordinance:* whence it unavoidably follows, that the National Church Government which consists

sists in the Superiority of one Bishop or one Priests being above another, can be but of Humane Constitution.

Nothing can be more manifest; then, that anciently the *Prelatic-Episcopal* Office was but a *Civil Office circa sacra* deriv'd from the King, who is but a Civil person; that all that belongs unto the Bishops, as they are of an order and office superiour to that of the Presbyter, even the *potestas Ordinis, & Jurisdictionis*, is but *Civil*, deriv'd from the King, who, though but a Civil person, is the supreme Head and supreme Ordinary of the Church of England. These things I will distinctly evince.

1. That the *King is but a Civil person*, and what power soever is deriv'd from him is but *Civil*.

That the King is the supreme Head of the National Church of England is a Truth too manifest; and too sacred to admit of the least doubt. But then it must be observ'd, that it is not to be understood, as if the King were a *Spiritual Pastor*, whose office as such consists in praying, preaching, and administering the Sacraments, &c. The supremacy in Ecclesiastical affairs belongs unto our King as he is supreme Civil Magistrate, and so it belongs to all such in every Countrey, whether Christian, Turk, or Pagan according to that in *Rom. 13. Let every soul be subject to the Higher powers*. Thus the Christian Churches in *Thracia, Syria,*

Non is sum, qui damnare audeam tot Christianas Ecclesias in Thracia, in Syria, in Aegypto, quae patriarchas, aut minores Episcopos a Turcarum rege accipiunt; neque novam esse hanc Christianorum patientiam docet nos Barlaamus Episcopus Cyrenensis, cuius haec sunt verba, Pontificatus quilibet quomodo Bulgarensis dependet à principite illius gentis; & Tribalis a suo principe: Antiochena vero patriarchae Armeniorum Rex dominatur: Hierosolymitana autem et Alexandrina Aegyptiorum impiissimus princeps. Nullus enim horum pontificatum recipit non probante, non decernente, & consentiente suo seculari pincipe,

Egypt, receive their Patriarchs and lesser Bishops from the great Turk (as Grotius in his Learned Treatise de imper. Sum. potest. circa Sacra. c. 10. Sect. 30. doth evince,) Thus Zerobabel, Nehemiah, Esdras, receive power from Cyrus Darius Artaxerxes for the restoring the worship of God in Jury. Thus do our antient writers record that the Abbey of Glasstonbury received a Charter from Cadwalla, a Pagan, but their King. From which I infer, that the supremacy belongs to Princes as they are Civil Magistrates, and that therefore it is somewhat different from that spiritual power, which consists in the ministring the word of God, and Sacraments.

But I need not insist farther on the proof of this, seeing what I here affirm is but the established Doctrine of the Church of England. In the Admonition added by Queen Elizabeth to her Injunctions, confirm'd by Act of Parliament the fifth year of her Reign, the Queen in explicating the true meaning of the Oath of supremacy, saith, That she would, that all her loving Subjects should understand that nothing was, is or shall be meant, or intended by the same oath, to have any other duty, allegiance, or bond required by the same oath than was acknowledged to be due to the most Noble Kings of famous memory Henry. 8th. her Majesty's Father, or

King

King Edward the Sixth her Majesty's Brother. So far the Admonition.

Now if we consult the Book of *Martyrs*, we shall find, that in a conference between Archbishop *Cranmer* and Dr. *Martyn*; the Archbishop doth shew what was meant by the Supremacy in the days of these Princes. *Martyn* demanding of the Archbishop, who was the Supreme Head of the Church of England? the Archbishop replies, *Christ is the Head of this member of the whole body of the Universal Church.* Why, quoth *Martyn*, you made *King Henry the 8th* supreme Head of the Church; Yea, said my Lord, of all the people of England as well Ecclesiastical as Temporal. And not of the Church, said *Martyn*? No, quoth *Cranmer*, For *Christ* is the only Head of the Church, and of the Faith and Religion of the same. The King is the Head and Governour of his people, which are his Visible Church. What, quoth *Martyn*, you never durst tell the King so? Yes that I durst, said *Cranmer*, and did; and in the publication of his Stile, wherein he was named Supreme Head of the Church, there was never other thing meant.

By this we may clearly see what was in the days of these two Princes intended by the King's Supremacy, which is more fully expressed in some other clauses of the Admonition, & in the 37th Article of the Church of England. In the Admonition its further added, That the Queen will challenge no other Sovereignty but this, namely, That under
God

God to have the Sovereignty and Rule over all manner of persons born within these her Realms, Dominions, and Countreys, of what estate either Ecclesiastical or Temporal soever they be, so as no other foreign Power shall, or ought to have any superiority over them. Besides her Majesty look'd on those who did labour to notify to her loving subjects how that by the words of the said oath, it may be collected; That the Kings or Queens of this Realm possessors of the Crown, may challenge Authority and power of Ministry of Divine Offices in the Church, I say her Majesty esteems all such persons, as thus interpret the oath, to be perverse and malicious persons, and their interpretation Sinister and malicious. Finally in the 37th Article established not only by the 13. Eliz. c. 12. but also by 14. Car. 2. it is express, That where we attribute to the Queens Majesty the chief Government, by which Titles, we understand the minds of some slanderous folks to be offended: we give not to our Prince the ministring either of Gods word or of the Sacraments, the which thing, the injunctions also lately set forth by Eliz. our Queen do most plainly testifie: But that only prerogative, which we see to have been given alwayes to godly Princes in Holy-Scriptures by God himself, that is, that they should rule all estates and degrees committed to their charge by God, whether they be Ecclesiastical, or Temporal, and restrain with the Civil sword, the stubborn and evil doers.

This

This is sufficient to evince that Kings never assum'd to themselves any part of that spiritual power, which is given unto pastours by Jesus Christ, but only a Civil power, with all the Prerogatives belonging thereunto, whence what is deriv'd from the Prince is but a Civil Power, called Spiritual or Ecclesiastical, not because it flows from one in the pastorall office, nor because the matters about which the power is conversant is purely and Evangelically spiritual, as Praying, Preaching, and Administring the Sacraments are, but from the quality of the persons entrusted with Ordinary Jurisdiction, and because the matters about which this power is exercised have some subserviency unto what is Evangelically spiritual.

Sir John Davies in his *Irish Reports* in case of *praemunire* has an excellent discourse about this, where speaking of the things and causes now called Spiritual and Ecclesiastical, as Causes Testamentary, Causes of Matrimony and Divorce, and the like, he saith, *Shall I express plainly and briefly why these causes were first denominated, some Spiritual, or Ecclesiastical, and others Temporal and Civil? Truly they were so called, not from the Nature of the Causes, but from the Quality of the persons, whom the Prince had made Judges in these causes. The Clergy did study Spiritual things, and did profess to live Secundum Spiritum, and were called Spiritual men, and therefore they called the causes, wherein Princes*
baa

Dr. Godolphin in his Abridgment. c. 11. §. 44. agrees with Sir John Davies.

had given them jurisdiction, Spiritual Causes, after their own name and quality, &c. So far Sir John Davies.

The which being so, what can be more manifest than that the Episcopal power is Civil, a Magistratick power, and so in ancient story 'tis call'd. For I find that *Patricius* who was the first, that successfully attempted the setting up the Episcopal power in Ireland, and *Palladius*, who endeavoured it, *reinfesta*, in Scotland are said to have come from Rome with a Magistratick power, the Episcopal power being but Magistratick; which is no more than what that learned Lawyer *Jacobus Gutherius* suggests, when he affirms, *That the Heathen Roman Pontiffs were vested with a Magistratick power, and had the name of Pontiffe rather a posse & Facere, as the learned high priest Scaevola observes, than a Ponte Sublicio as Varro and some others have it: which Magistratick power was not (saith Guther) given the Bishops until the time of Valentinian the first, and then it was.*

Vide Guther. de Vet. Jure Pontif. lib. 2. c. 1. & l. 1. c. 4.

This passage of *Guther* necessarily leads me to the Consideration of that Title given the Emperours, and also to our Princes even that of *Illustrious Pontiffs*, which signifies nothing more then a Magistratick Power *circa Sacra*, of which the *Vestis Dalmatica* was an Embleme, and therefore worn by the Emperours, and by our Kings at their Coronation, and that in the times of our Saxon princes, for this consult

Sir

Sir Henry Spelman his larger Book of Tythes c. 29. §. 9. and Dr. Godolphin in his Abridge-
ment c. 1.

This I presume is sufficient to evince, that the Bishops, who antiently deriv'd all their Episcopal power from the King were as such but Civil Officers. But to be more particular and exprefs, I will further shew.

2. That all that belongs unto the Bishops as they are of an Order, and office Superiour unto Presbiters, even the *Potestas Ordinis & Jurisdictionis* is but Civil, and deriv'd from the King.

By *potestas Ordinis* here is meant the power of giving Orders.

Although the Bishops as such lay claim to no other power than that of Orders and Jurisdiction; yet antiently for several hundred years these Powers were the undoubted right of the English Crown, and our Kings have been the Absolute Lords and Disposers of it.

That the power of *Jurisdiction* was ever derived from the Temporal Princes unto the Bishops is too plain to need proof, yea that *Excommunication* was look'd on to be but an Act of Civil Jurisdiction is also very manifest. For as amongst the Monks *Excommunication* was an exclusion from common conversation, *excommunicatione punire est a mense communi, & refectorio communi arceri*, so in Henry the 3d dayes the Civil magistrate was to excommunicate the Jews, for this consult * *Matth. Paris* his History of Henry 3. ad an. 1245. and the Glossary on the word Ex-

* *Judæos verò ad remittendas usuras, per sæcularem compelli præcipimus potestatem & donec illas remiserint, ab universis Christi fidelibus per excommunicationis sententiam eis omnino denegetur. M. Paris. ubi vides hanc excommunicationem per sæculare brachium inflictam esse. Wats bis*

com- Glossary.

communication; whereas if Excommunication had been esteemed an Ordinance of Christ, cutting any off from the Body of Christ, the Jews who never were of the Body could not be cut off, neither should it have been an Act of the Civil Magistrate but of the Spiritual pastours. Furthermore it's very manifest, that the Kings of *England* regulated the manner of process in their Excommunications, shewing whom they might, and whom they might not Excommunicate, and for this reason Lay-chancellours have been ever since entrusted with this Power.

And that both the Powers of Orders, and Excommunication belong unto the Prince is evident from what is inserted in the several *Charters*, given unto divers Abbies. For the *Saxon Kings*, as well as *William the Conquerour*, and his Successours have given both these Powers to whomsoever it pleased them.

Thus *Edgar, Edmund, Ethelstane, Edward, Elfred, Guthred, Ethelard, Ina, &c.* gave unto *Glastonbury* the Power of Orders as well as Jurisdiction, and in the Popes Confirmation of *Edgar's* Charter the Donation of these Powers is expresse too, *Ordinatio vero tam Monachorum, quam Clericorum in Arbitrio Abbatis, & Conventus fit.* *Malmesbury. de gest. Reg. Anglor. lib. 2. c. 7. & 8.* The like may be seen in several other Charters given unto Abbies, but I will at this time only observe

a passage I find in those patents by which Bishops in *Edward* the sixth his Reign were created, and it is this, namely, *And we will and by these presents grant to the said N. now Bishop of N. That he may Lawfully, freely, and quietly be able lawfully to ordain and promote whatsoever fit Clerik wheresoever born within the said Diocess of N.* On this it is that the Jesuite *Sanders*, as both *Heylin* and *Dr. Godolphin* do note, grounds his Assertion, that the very Power of Orders was by the 1. *Edward*. 6. c. 2. recognized to be in the King. In the same Patent Power is also given duely to correct, reform, and punish whatsoever Delinquents or criminal persons, by Ecclesiastical Censures, and other lawful remedies of Ecclesiastical Jurisdictions.

Thus we see that the *potestas Ordinis & Jurisdictionis*, though the whole of the Ancient prelatick Episcopacy consisted in the enjoyment of it, is deriv'd from the King, who is but a Civil Magistrate and that that Orders and Excommunication are but Acts of Civil Power and Jurisdiction. Before I dismiss this point 'twill be expedient to inquire, How the Civil Magistrate possessed himself of these things, which really are spiritual and belong only unto spiritual Pastors, but not unto civil Magistrates.

That we may arrive to the full knowledge of this, we must have recourse to the Usurpations of the Romish Clergy, who to the end they might possess themselves

selves of Temporal Preferments and Ho-
 nours gave 'em the names of spiritual things
 and causes. This is excellently well deliver'd
 by Sir John Davis *ubi supra*. where speaking
 of the Ecclesiastical and Temporal Juris-
 diction, saith, ' This distinction first began
 ' in the Court of *Rome*, where the Clergy
 ' having by the spiritual Jurisdiction gotten
 ' great wealth, their wealth begat pride,
 ' their pride begat Ingratitude towards
 ' Princes who first gave them their Juris-
 ' diction, and then according to the nature
 ' of Ungrateful persons, they went about to
 ' extinguish the memory of the Benefit; for
 ' whereas their Jurisdiction was first deriv'd
 ' from *Cæsar*, in the Execution whereof they
 ' were *Cæsars Judges*, so as both their Courts
 ' and Causes ought still to have born *Cæsars*
 ' image, and superscription as belonging un-
 ' to *Cæsar*; they blotted *Cæsars* name out
 ' of the stile of their Courts, and called them
 ' Courts *Christian*—and the Causes, which
 ' in their Nature were meerly *Civil*, they
 ' called Spiritual and Ecclesiastical. So as
 ' if the Emperour should change his Courts
 ' and Causes again, say *Reddite Cæsari quæ*
 ' *sunt Cæsaris*, they would cry out on the con-
 ' trary part, *Date Deo quæ sunt Dei*. Our
 ' Courts bear the name and title of Christ
 '—And this point of their Policy is worth
 ' the observing, that when they found their
 ' Jurisdiction in Matrimonial Causes to be
 ' most sweet and gainful of all other, to the
 ' end

end that *Caesar* might never resume so rich a perquisite of their spiritual Jurisdiction, they reduced *Matrimony* into the number of the Seven Sacraments: So far *Sir John Davies*. Moreover they immixed Spiritual and Temporal Causes, to the end they might with the greater colour give unto *Temporals*. The name of Spiritual, and under a pretence of asserting their Spiritual Rights, usurp Temporal Domination, and the Rights of Temporal Princes.

This much *Stockly*, and *Tanistal* two Popish Bishops in *Henry the 8th's* dayes in their Letter to Cardinal *Pool* have observed, for they tell the Cardinal, that the Pope of *Rome* did by usurpation make a pretence to be over all, Vendicating to himself a Spiritual Kingdom, but then changed it into a Temporal, preaching thereby the Flesh for the Spirit, and an Earthly for an Heavly.

In pursuance of this design, the Clergy instead of applying themselves to *Divinity* fell to the study of the *Law*, and possessed themselves of most places of great Trust in the Civil Government: Chancellours and Judges being chosen out of the Clergy, whence 'tis, that to this very day our Judges when on the Bench are vested with priestly *Habiliments*, as *Dr. Wats* in his *Glossary* assures us.

This Practice of the Clergy continued until *Henry the Third's* dayes as *Matth*:

Hinc est
quod verus
iudicum Secu-
larium habitus
idem per om-
nia Paramenta
eadhuc ferè est
cum Ecclesi-
asticorum viro-
rum Orna-
mentis. *Wats's*
Glossary on the
words, Clerici

Paris & Coisa.

Ne Caufi-
dicus fit, vel
lites agat.
*Spelmans coun-
cils.*

Aures nos-
tras abhor-
renda fama
circumstrepit,
& inculcat
affiduè, quod
relictis quini-
mò procul, &
abjectis philo-
sophicis disci-
plinis (ut ad
præfens divi-
na scientia ta-
ceamus) tota
clericorum
multitudo ad
audiendas
seculares leges
concurrit.

Epist. In-
nocentij, quar-
ti.

*Paris reports, Omnes Scholares intactis Gram-
maticis rudimentis, authoribus, & philosophis,
ad leges properant audiendas, the which the
Clergy did notwithstanding about the year
1052; in the Canons of Elfric sent to
Bishop Wulfin, 'tis exprefs, that a priest
should not imploy himself in worldly affairs,
nor be a Lawyer. And Pope Innocent the
4th finding the Clergy's following the Law
to prove rather prejudicial then profitable
unto his chair, he sends out his Letters to
England, Scotland, Wales, Spain, France,
&c. in which he mentions how great a re-
proach it was that the whole multitude of
the Clergy should mind nothing as it were
so much as the Law. This Letter is in the
Additamenta to Matth: Paris.*

All this I mention, that the Reader may
see, how the Clergy being ambitious of
worldly preferments and Honours, did ad-
dict themselves to the study of the Law,
and that they might be the more success-
ful in their endeavours, they lay a claim
to Spiritual Regiment, and mingling Tem-
porals with Spirituals, namely, Causes Te-
stamentary, Causes Matrimonial and such
like, with Ordination and Excommunicati-
on, that under a pretence of vendicating to
themselves a Spiritual power they might
usurp the Temporal, the which for a long
time in several instances they did, but yet
not so intirely here in England, for by this
mixture they gave unto our English Princes

on

on occasion to assume to themselves under the Notion of Temporal what was really *Spiritual*. The Priests making the Power of Orders and Excommunication to be but of the same spiritual nature with Causes Testamentary and Matrimonial, our Princes who knew that Causes Testamentary, &c. belonged unto them could not but think that matters of the same kind, viz. Orders and Excommunication, was as much theirs.

This may serve to evince, That antiently the National Church Government was but a *Civil Government, circa sacra*: That the King, though but a Civil person, is the Supreme Head of the Church of *England*, that the Episcopal Order is but Humane, and all their Episcopal Power derived from the King; That the *Potestas Ordinis & Jurisdictionis*, which is essential to the being of a Prelatick Bishop, was antiently look'd on to be *Spiritual* in no other sence than Causes Testamentary and Matrimonial, and deriv'd from the King only.

But, as I shall shew in the following part of this discourse, ever since the first of King *James*, the state of the Church of *England* is much alter'd. For which reason in my giving a *Description* of the present state of the Church of *England* I could go no higher in my *Inquiries* than the first of King *James*, but yet thought it requisite to lay somewhat concerning the Antient

state of this Church, lest some Reader should think that what I say of the *present* state is to be understood of the state of this Church throughout all ages.

These things *premis'd*, I will now proceed to give a Just Description of the Church of *England* as now established, and shew what is required from all English men that will hold communion with her.

SECT. II.

A just description of the Church of England as now by Law establish- ed given in several Aphorismes.

Aphorisme. I.

The Church of England as by Law established is a National Church made up of Twenty Six Diocesses, and Two Provinces of which the King is the Supreme Head.

I Have read somewhere of a Distinction by the Clergy between the *National Church of England* as a Church, and as incorporate with the state, maintaining the former to be *jure divino*, the latter only *jure*

jure humano: the Archbishop of Canterbury to be the Head of the One, and the King the Head of the other. Moreover they add, That the greatest part of the Popes Usurpation was on the Law of God, robbing the Archbishop of the supremacy he had over the kings of this Realm, as seems to be intimated in a clause of the 25th Henr. 8th. c. 21. where this Power is restored to the Archbishop of Canterbury and his successors, who by their discretions may grant unto the King and his Successors all such Licences, Dispensations, Compositions Faculties Grants, Rescripts, Delegacies for Causes not contrary to the Holy Scriptures and Laws of God, as heretofore had been used and accustomed to be obtained by his highness, or by any of his most noble progenitors at the See of Rome.

By this clause it seems that at least some part of that Supremacy, which the Pope of Rome usurped and exercised over the Kings of this Realm, is given the Archbishop of Canterbury and his successors, and by some it has been asserted to be in the Bishops over the King *jure divino*: which sort of supremacy over the Prince, is doubtless more pernicious than the Papal it self, for it exalts the Vassal above his Sovereign.

In pursuance of some such principle as this, some of the Clergy in Queen Elizabeth's time struggled for several Preheminences,

ces, and took unto themselves an unlimited Power, making an Invasion on the Legislative Power of the Kingdom.

Thus some of the Clergy contrary to the express words of the Act for Uniformity the first of *Queen Elizabeth*, made alterations in the Common prayer book; for whereas in the said statute it is enacted, *That all and singular Ministers in Cathedrals, or parish Churches—shall be bound to say and use the Mattins, Even-song,—Celebration of the Lords supper, and Administration of each of the Sacraments, and all other Common and open prayer in such Order and Form as is mentioned in the said book so authorized by Parliament in the fifth and Sixth years of the reign of King Edward the Sixth, with One alteration or addition of certain lessons to be used on every Sunday in the year, and the Form of the Letany altered, and Corrected, and two sentences only added in the delivery of the Sacrament, and None other, or otherwise. But although it were thus enacted, yet in the Common-prayer book then set forth, there were many alterations more than were specified in the said Act. The Form of the Letany is not corrected nor altered; Moreover there is some detraction from the very Matter of the Book, which is contrary to the statute; The following prayer is left out, [From the Tyranny of the Bishop of Rome, and all his detestible enormities, Good Lord deliver us.] Besides concerning Addition and Alteration*

on specified in the Act, there be divers and Sundry alterations well nigh in fifty material points, as may be seen in a Treatise entituled, *Certain considerations drawn from the Canons.*

After this *Whitgift* openly, and boldly invades the Parliamentary Power, for when the Parliament in the 13. *Elizabeth* c. 12. required subscription to the Articles of Religion with this Exception, viz. *To the Articles of Religion, which [only] concern the Confession of the true Christian Faith, and the Doctrine of the Sacraments, where the word [only] must needs exclude somewhat* (saith the Learned *parker* of the Cross part. 2. (c. 8. Sect. 3.) *which what can it be but matter of Ceremony, and of Church Government to which the honourable state of the Parliament would bind no man, because they saw them controverted, not only by private men, but also by whole Churches, notwithstanding which (as Mr. Parker add's it's not unknown that our Reverend Fathers the Bishops require a subscription, not only to Faith and Sacraments, but also to the Discipline, Communion Book, Ceremonies, and all things else, so imposing articles of their own, which no subject by the Law is permitted to do, whence it sufficiently appeareth that a transcendent Power above the Law has been claimed by the Bishops, even in Queen Elizabeths days. Moreover after the 19th or 20th year of her Majesties Reign they add one momentous clause to the 20th Article of Religion, which was not in*

the Books of Articles printed in Latin or English in the years 1562 and 1571 The Clause foisted in is this, namely, *The Church has Power to decree Rites or Ceremonies ; and authority in Controversies of Faith.* And by the *Church* they understand the Bishops and their Clergy , whereby they plainly insinuate ; that the Clergy without the *Parliament* may add what Ceremonies they please to the established worship, and declare what is Heresie, what not, which is directly opposite to the first of *Elizabeth*.

There is also in the 2d part of the *Homily of The Right use of the Church*, somewhat that seems to favour the Clergy's supremacy, as if they had a Power over Kings, and might Excommunicate them, and oblige all godly men and women to avoid and shun their company until they be reconciled to the Church. ' And according to the ' Example of our Saviour Christ and the ' primitive Church, which was most holy ' and godly and in the which due discipline, ' with severity was against the wicked, ' open offenders were not suffered once to ' enter into the house of the Lord, nor admitted to common prayer, and the use of ' the Holy Sacraments with other true ' Christians, until they had done open penance before the whole Church ; And this ' was practiced not only upon *Mean* persons, ' but also upon the rich, noble, and mighty persons yea upon *Theodosius*, that puissant, and
Mighty

'Mighty *Emperour*, whom, for committing a
 'grievous, and most willful Murder, saint
 'Ambrose, Bishop of *Milain* reproved
 'sharply, and did also Excommunicate the
 'said *Emperour*, and brought him to *Open*
 'pennance. And they that were so justly
 'exempted and banished (as it were) from
 'the house of the Lord, were taken (as they
 'be indeed) for men divided and seperated
 'from Christs-Church even given to *Satan*,
 'the Devil for a time, and their *Company*
 'was shunned and avoided of all godly men
 'and women, until such time as they by Re-
 'pentance, and *publick pennance* were recon-
 'ciled. So far the *Homily*, In which, *Am-*
 'brose his Excommunicating the *Emperour* is
 justified and to it 'tis added, That the godly
 must shun the *Company* of the Excommuni-
 cated, the which shews what some of the
 Clergy have been aiming at, even in Queen
Elizabeths days. The learned *Parker* in
 his discourse of the *Crosse lib. 2. c. 1. Sect. 21.*
 agrees with me in this particular, for in
 evincing that some did subject the King to
 the Clergy he thus expresseth himself,
What mean's else the Licence, which the King
must have in some cases under the Archbishop's
hand? What meaneth else their tying him to
the Canons of the Church, as well as to
the word of God? What meaneth else the
New Tenent, That Bishoplike Authority
over their Brethren is not from the Prince or
at his Pleasure (as heretofore hath been taught)
 but

but even *Jure Divino*, which *Q. Elizabeth* would never endure. So far *Parker*.

By this little light, we may see from what principles the Assertion of the Divine Right of Episcopacy doth flow, and whither it tends.

But what struglings soever there have been to introduce such doctrines about the Divine Right of Episcopacy and the prelatick Power which is destructive of his Majesty's supremacy; yet it must be acknowledged, that touching the Government of the Church of *England* as National, I am in the right in affirming the King to be the *only* supreme head on Earth of the Church of *England*, which word [*only*] is exclusive of a *Domestick* as well as of a *forreign*, yea of an Ecclesiastical, as well as of a Temporal Supremacy.

Aphorisme II.

This National Church ever since the first of King James has been, and now is declared to be a National Church of Divine Right. But the Spiritual guides are at a loss how to make it out.

THough Queen *Elizabeth* could not be prevail'd with to acknowledge the Divine right of a National Church Government, yet King *James* was soon engaged to be for it. Whosoever will consult the Constitution

stitutions and Canons Ecclesiastical agreed upon with King *James* his Licence, the first year of his reign, will find this to be So. For *Can. 3.* 'tis ordained, that, *Whosoever shall affirm that the Church of England by Law established under the Kings Majesty is not a True, and Apostolical Church &c. let him be Excommunicated ipso facto, and not be restored but only by the Archbishop after his Repentance and publick Revocation of this his wicked Errour.*

But more expressly in the 7th Canon, *Whosoever shall affirm, that the Government of the Church of England under his Majesty by Archbishops, Bishops, Deans, Archdeacons and the rest that bear Office in the same, [namely, Lay-chancellours, Officials, Commissaries &c.] is Antichristian or repugnant to the word of God, is excommunicated ipso facto, and so to continue till he Repent, and publickly Revoke such his wicked Errours.* So far the Canon. And what is this less than an Assertion, That the Government of the Church of England as National by Archbishops, Bishops, &c. is Apostolical, and agreeable to the Word of God?

'Twill be here expedient that I give the Reader some further light touching the true meaning of the *Canons*, & shew what strength they receive from the Law of the Land. And That I may give a just account of the genuine import of these *Canons*, I must beseech you to observe on what Occasion those *Canons* were agreed on; for *Occasio legis*

indicat & mentem Legislatoris, & sensum legis. The occasion of the Law must direct us in the interpretation of the Law.

It must be then noted, that in *Q. Elizabeths* days the old Nonconformists struggled mightily for a Reformation of the Church of *England*. They found fault with the Constitution of the Government as it was by Archbishops, Bishops, Deans, Archdeacons, Lay-chancellours &c. asserting all these offices to be repugnant to the word of God and Antichristian. They also gave other forms of Government, which they affirmed to be of Divine Institution. They did moreover find fault with the Rites and Ceremonies of the Church. And with their book of Ordering Bishops, Priests and Deacons, and frequently petitioned for a Reformation, and when all attempts for the obtaining the Countenance of Authority fail'd, they without the Magistrates leave endeavoured Reformation amongst themselves, which essays of the old Nonconformists, though countenanced by those of the Church of *England* that are called the *Calvinistical* party, yet met with great opposition from *Whitgift* and *Bancroft*.

When King *James* came to the Throne he finding the Church in this Divided posture, commands a conference at *Hampton-court* between the Bishops and some Learned Divines, who, (though Conformists yet) did favour the Disciplinarians; at which time

time some things were altered for the better, but the King being zealous for the Church of *England*, and very much influenced by the Bishops, Soon after called a Convocation in which with the King's licence such Canons were agreed on, as did most directly oppose the principles the old Nonconformists had of Church Government, Ceremonies &c. So that whereas the Nonconformists affirm'd that the National Church of *England* as Governed by Archbishops, Bishops &c. was not an Apostolical Church, they in the third Canon Excommunicate such by an *ipso facto* Excommunication. And whereas the Nonconformists also asserted, That the Government of the Church by Archbishops, Bishops &c. was not of divine Right, but repugnant to the word of God, and Antichristian, they Excommunicate all these by the 7th Canon. In like manner the Book of Common prayer with all the Scrup'led rites and ceremonies, and the Book of Ordering Priests and Deacons, are more strictly established then ever, and all persons whatsoever obliged under pain of an *ipso facto* Excommunication to give in their Assent and consent to every thing contained in them by the 4th, 6th, and 8th Canons.

In some considerations against subscription published soon after the book of Canons, I find that the old Nonconformists express themselves much to this purpose for they

they say, That when as the Discipline and Government Provincial and Diocesane, ministred and exercised by the late Archbishop deceased, and his suffragans, was diversly handled, disputed, and controverted, not to be agreeable but repugnant to the Holy Scriptures, and necessary also for the repressing of Vice, the increase of Faith and Christian Religion, to be Changed; they hereupon justly fearing, that the most vertuous and Christian Queen deceased, upon Sundry complaints made in open Parliament against their most unjust grievances, would have reformed the same their manner of government; they presently upon new advice and consultation taken, boldly and constantly avouched the same their Government, to have been from the Apostles time, and agreeable to the Holy Scriptures, and therefore also perpetual, and still to be used and in no case to be altered by any King or Potentate whatsoever.

By means of which this their inclining to the Popish opinion, and holding their Jurisdiction to be de jure divino, and professedly maintaining in the Homily (whereunto also subscription is urged) That the King and all the Nobility ought to be subject to Excommunication, their is now at length grown such a main position of having a perpetual Diocesane provincial Government in the Church, that rather then their Hierarchy should stoop, they would cause the Kings supremacy, which he has over their said Jurisdiction to fall down to the ground: In

so much as by their supposition the King has no Authority, no not by his supreme Power, to alter their said Government at all. And to this end and purpose (as it seemeth) in their late Canons have they devised and decreed this book of Ordination to be subscribed unto. So far the Considerations against subscription. From all which we may conclude, that they judged that the true reason of calling this Convocation, was the many debates against Episcopal Government, the many petitions for its removal, and that the *Divine right* of Diocesane and Provincial Bishops was asserted to prevent an Alteration of the Diocesane, and provincial Government and at last establish'd by their new Canons, the which sufficiently shews, that the great design and intendment of the abovemention'd Canons, is the establishment of the Divine Right of the national Church-Government by Archbishops Bishops &c.

Thus you see that by the *Canon-Law* the Divine and Unalterable right of the Diocesane Episcopacy was established, I say by the *Canon-Law*, for the Canons have the force of an Ecclesiastical Law. Though the Canons were not (as the Common prayer and Rubricks, are now) put into the Body of an Act of Parliament, yet they are in pursuance of an Act of Parliament, and therefore must be acknowledged to have the force of a Law.

By the 25. *Henry 8th. c. 25.* The Cler-

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gy called to Convocation, by the Kings writ are enabled to Enact, promulge, and Execute all such Canons, Constitutions, or Ordinances provincial, which are confirmed by the Kings most royal assent, and licence.

In pursuance to this statute, the Convocation *Anno* 1603 was assembled, by the Kings writ, and when assembled, they did desire his Majesties royal assent unto their Canons according to the form of the foresaid statute of *25th Henr*: 8. c. 25. And the King by his letters patents under the great seal of *England* did ratify and confirm them. Who then can say that these Canons thus confirmed by his Majesty have not the Power and strength of a Law?

There are I confess some who say, that no Canons can be of legal force, but such as are in pursuance of the *27th Henr*. 8. c. 15. drawn up by two and thirty Commissioners of the Kings appointing and confirm'd by the Kings Letters Pattents, the which thing has not yet been done, for as 'twas neglected all the reign of *Henry the 8th*, so, although in *Edward the sixths* days a committee of these Commissioners did compose a Book, yet 'twas not confirmed by the King; and the Convocation of 1603. was not an assembly of Commissioners, and therefore not of legal establishment.

But this is grounded on a manifest Error, for the work of these 32 Commissioners

oners was not to make new, 'twas only to reform the old Canons. New canons were (as I have proved) to be made by the Convocation, and so were the Canons in dispute; and although it be further objected, that in the Statute of 25. *Henr. 8th c. 25.* the Clergy of the whole Realm, which, they say, must be a National Synod, are only enabled to enact Canons, and that the Convocation of 1603. was only Provincial; I must say, That nothing is more common than that the Provincial constitutions of *Canterbury* have been all along received by the Church of *England*. Whoever reads *Lyndwoods provincial Constitutions*, all which are, (by the 25. *Henr. 8. c. 19.* excepting such as are contrary or repugnant to the Laws, Statutes, and Customs of this Realm, or to the damage and hurt of the King's Pre-rogative Royal, in force^x and whatever ^{x may clearly be the Truth of this.} pretence the Province of *York* may have for a plea of exemption, yet that doth not in the least invalidate the force of these Canons. It can only prove that that Province is not obliged by them, it cannot prove that they are not of force in the Province of *Canterbury*.

But whosoever is well acquainted with the antient Constitution of our National Church, will see little in these objections, whence I conclude that what is enacted by the Canons of 1603. are of legal force. But though the National Church government by Archbishops, Bishops &c. has been ever

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since

since the first of King *James* declar'd to be *de jure divino*, yet the spiritual guides of the Church are at a great loss how to make it out. They are at a loss how to make the two Provincial Churches of *Canterbury*, and *York* to fall so into one as to become One National Church of Divine right : for their assertion, That the National Church considered as a Church not incorporate with the state, is of divine Institution, supposes the Church of *England* to fall under a purely spiritual consideration, and that none can be a governour in it but a Clergy man, one in the Priestly and Episcopal office.

It's this that is the main difficulty. If the National Church, or spiritual polity be of Divine Right, then there must be by divine Appointment some spiritual person, a man in Holy Orders, one or more that must be it's Constitutive Head, or Regent part. But this notion is exclusive of the Prince, who is not in orders, and exalts a vassal in Orders above the King, which were a position therefore manifestly Traiterous, and dangerous for any to assert. And no wonder if upon this consideration Dr. *Stillingsfleet*, and his complices be put to silence, whereas if this had not been something to hamstring them, they could not have been at any such loss about the *Constitutive Regent Head*, being as easy (otherwise) to be found out for the National, as it is for the finding out such a Head to the Provincial or Diocesane Church. If

If the National Government of the Church be considered according to its Ancient constitution, as it is but a *Civil Government circa Sacra*, it becomes one by being united in one Head, the King; but this pleaseth not those, who are for a Divine right, they must have a man in orders to be supreme head of their national Church, and were it not for the Treason, that is in the notion, I am apt to think, they would be bold in assuring us, that the *Archbishop of Canterbury* is the supreme Governing Part. They have gone very far towards the asserting this much, for the Archbishop is made primate of all *England*; and Metropolitane, and as such hath a *supereminency*, and some Power even over the Archbishop of *York*.

In the year of our Lord 1072, or 1073. on an equal Scanning the controvertie between *Lanfranc* Archbishop of *Canterbury*, and *Thomas* Archbishop of *York* it was resolv'd, that the Archbishop of *York* should be subject unto the Archbishop of *Canterbury* in all things, relating to the Christian Religion, that the Archbishop of *Canterbury*, might call a Council and appoint where it should be held, that the Archbishop of *York*, his suffragans and inferiour Clergy should be present, and shew themselves *Obedient*; That the Archbishop of *York* should receive a fatherly blessing from the Archbishop of *Canterbury*, and swear *Canonical Obedience* unto *Can-*

Ubi tandem
antiquarum
auctoritatibus
scripturarum
probatum est, &
ostensum quod
Eboracensis
Ecclesia de-
beat subiacere
Ecclesiæ Can-
tuarienti, &
ipsius Archie-
piscopi, ut pri-
matu totius Bri-
tanniæ disposi-
tionibus in om-
nibus quæ ad
Christianam
pertinent Reli-
gionem, fideliter
obedire: Ita
quod si Archie-
pis. Cantuar.
concilium te-
nere voluerit,
ubicunque sibi
utile visum
fuerit, Eborac.
Archiep. cum
omnibus suis
suffraganeis, &
subiectis Cleri-
cis, sui presen-
tiam exhibeat
ejusq; canonicis dispositionibus obediens existat. Benedictionem, etiam Episco-
palem ab ipso debeat accipere, & ei canonicam professionem addito jura-
mento præstare. Matth. Paris. in vit. Guil. Conquerstor.

terbury. A particular account of this we have in *Malmesbury de gestis pontif. Anglor.* in the life of *Lanfrank* and in *Matth Par.* the which Dr. *Godolphin* also observes in his *Abridgement*.

To this let us but add the 139th Canon, and we shall find ^{the} great Representatives of the Kingdom, the King, Lords, and Commons, are not the Church of *England* by Representation; but a National Synod of the Clergy, for it is there ordain'd, *That who-soever shall hereafter affirm, That the sacred Synod of this Nation [not the Parliament] in the name of Christ, and by the King's authority assembled, is not the Church of England by Representation, let him be Excommunicated and not restored until he repent and publicly revoke that his wicked Errour.*

Thus they have lying by them both a Body and an Head for a National Church, not incorporate with the state, They have a spiritual National Church by Representation, and a Spiritual Head, viz, a Sacred Synod and the Archbishop of *Canterbury*, but durst not own their Head, lest they fall into a *premunire*, and so whenever provoked to shew their Head, they seem, to be as men under an unaccountable surprize and amazement.

Aphorisme III.

In this National Church of England, which is now by Canon Law declared to be of Divine Right, A Diocefane Church made up of many fcores or hundred Parifhes, having no true Pastoral Churches under it, is a particular Church of the loweft rank or fpecies, de jure Divino, and as fuch eftablifhed by Statute-law.

NOW there is not within *this Kingdom* a particular Church of Chrifts Inftitution, but what has many Parifhes in it, according to this Doctrine. For there are no more Particular Churches than there are Dioceffes nor any more *paftours* of Churches than there are Diocefane *Bifhops*, that is, there are fix and twenty particular Churches, and Six and twenty *paftours* in the whole Kingdom of *England* and Dominion of *Wales*, and no more. A Diocefian Bifhop and a *Paftour* of a particular Church, do in the *Epifcopal Dictionary* fignifie one and the fame thing.

That I may make this the more plain, I muft fhew what the Church of *England* means by a Diocefane Bifhop, and prove that they hold the Diocefane Bifhop to be *de jure Divino*.

The Diocesane Bishop is of an Order distinct from, and Superiour to that of the Parish Minister, Episcopacy is not meerly a Degree above the Parish Priest, but an Order, as Archbishop *Laud* in his Letter to Bishop *Hall* observes, *Here lies the main of the Cause (saith the Archbishop) whether Episcopacy be an Order, or Degree. An Order certainly, if it be of Divine, and Apostolicall Institution. For that which is but different by Degrees and Circumstantially, cannot be other than juris positivi. Now that which is proper to the Episcopal Order is the Potestas Ordinis & Jurisdictionis. The Power of Orders belongs to the Bishop as he is a Bishop, not as he is a Bishop, of this or the other place. So that as he is a Bishop, I mean Universally so over the whole world, he may consistent with the Order of Churches, Consecrate Churches, confer Orders in any place of the earth, that is, delegate Curates by giving them Power to Preach and dispence the Sacraments, and administer Confirmation. But the Power of Jurisdiction is appropriate unto him, as he is confin'd to his See, and by this he acts as Ecclesiastical Judge in matters Spiritual.*

If this Episcopacy be a Divine Institution, the *potestas Ordinis & Jurisdictionis* is deriv'd from God unto the Bishop, not from the Prince, and therefore it cannot be said, that he receives it from his Election, (which is by a *Conge D'sire* from the King) but from

from the laying on the hands of the Archbishop. For though he be elected, and the Temporalities are granted him (saith *Godolphin* in his *Abridg*: c. 3. s. 6) yet he is not a Bishop before Consecration. After his Election to the making him a Bishop, 'tis necessary he receive a Confirmation, Consecration, and Investiture from the Archbishop or Metropolitan, and after the Confirmation of his Election by the Archbishop, he hath the *potesstatem Ordinis & Jurisdictionis*. So far *Godolphin*.

By making the Episcopal a distinct Order from the Priestly, and appropriating this double Power to the Episcopal Order, it necessarily follows, that to the priestly Order there belongs only the office of preaching and administering the Sacraments; They have not any Power to confer Orders, or exercise Discipline, the utmost of their Power is but Declarative, and Satisfory, or *Executive*, that is, they may preach, exhort, admonish, administer the Sacraments and execute the Bishops Orders, but have no Power to Ordain, confirm, or Excommunicate.

Here it must be carefully noted, that so long as the Bishops, and Priests are affirm'd to be of one and the same Order, differing only in Degree; whatever belongs to the Order belongs as well to the Priest as to the Bishops, though in a higher degree to the Bishop, whence the Power of Orders and

Jurisdiction belonged to the Priest, though for Order sake the Bishop was entrusted with the *Exercise* of it ; and the priestly Ordination valid , though not so orderly ; but by making the Episcopacy to be a distinct Order from that of the Priests, the very *Power* of Orders and Jurisdiction is denied the priest, who, as such cannot be a Pastour, at most he is but a Semi-pastour, the Bishops Minister or Curate, his ordination no more valid than that of a Deacon, for he has no other Power for the conferring Orders, than the Deacon has, and the Diocesane Bishop is not a Bishop of Bishops, he is not according to this Notion *Episcopus Episcoporum*, he is but *Episcopus gregis*, the priests being but *ministering*, not *Governing* officers under the Bishop.

This notion I confess has a consistency in it, but to prove it scriptural is the great difficulty, and it's no part of my province in this place to enter on the controversy about the Divine Right of Episcopacy, my present work is only to evince, that the Law has established this Episcopacy *de facto*, and declares it to be *juris divini*, not *juris divini mediati* (as the Italian Papists affirm it to be) but *juris divini immediati*. This Distinction I mention to shew the difference between the Church of *England*, and the Church of *Rome* ; For I'll not do the Church of *England* the least wrong, in the Description I give of her.

It must therefore be here Observed, That the *Romanists*, who acknowledge the *Episcopal* Order and the *Priestly* to be one and the same, do derive the *Episcopal* Power, as distinct from, and superior to that of the *Priestly* power from the Pope, and so deny the *Episcopacy* to be *juris divini immediati*, as may be seen in the *History of the Council of Trent*, and affirm it to be *juris divini mediati*. They say, that the Pope is primarily and immediately intrusted by *Jesus Christ* with the *Episcopal* power, and that the Bishops lean only on him immediately for it. But the Old Church of *England* look'd on the *King*, as the great *Trustee* of *Episcopal* Power, that the *Episcopal* was but a Civil Power lodg'd with the King and deriv'd from him to the Bishops. And now the *Episcopal* Power is said to be derived neither from the Pope, nor the *King*, but immediately from *Jesus Christ*: for the *Episcopacy* is an order distinct from the *Priesthood*, & *juris divini immediati*; and it is my business to evince that according to the Law the *Episcopacy* is *juris divini*. The which I will do first more generally, and then more particularly, by shewing that both the Power of Orders, and Jurisdiction is now only in the Bishop.

In order to the proof of this, Two things must be observ'd. I. That from the very beginning of the Reformation there have been a sort of People endeavouring the
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Establishment of the Divine Right of this Episcopacy, and as preparatives to such an establishment, they either openly pleaded for the leaving in some passages in the *Common prayer book*, and *Book of Ordering Bishops, Priests, and Deacons*, as might in due time be improved for the advance of this Divine Right, or subtilly foisted in such passages as would most effectually suit their design, and as they had time so they did more publickly contend for this Right.

The Truth of this may appear from what has been suggested under the first *Aphorisme*, and from the History is given us of *Whitgift's* Extramagistratical imposing the *Three Articles*, with the steps they made in *King James* his days, but especially in *King Charles* the first, and his late Majesties Reign.

But 2. As on *King James* his entring *England*, the Clergy had arriv'd to a greater boldness, touching their asserting the Divine Right of Episcopacy, So this Prince was by Principle every way prepared for the encouragement of these Bishops, and furtherance of their designs.

This much the King discovered as soon as he came into *England*, for in the Conference at *Hampton Court* (as *Dr Barlow* reports) *King James* taxed *St Jerome* for asserting, That a Bishop was not *divine ordinationis*, the which emboldened *Bancroft*, Bishop of *London* to say, that, unless he could prove his Episcopal Ordination lawfull out of the

the Scriptures, he would not be a Bishop four hours.

And in the same year the King issuing out writs to assemble a Convocation of the Clergy, it was ordained by the 36th. Canon, That no person should be received into the Ministry but he that would subscribe to the 3 Articles, two of which were to this purpose, *That the Book of Common Prayer and Ordering of Bishops, Priests, and Deacons, containeth in it nothing contrary to the word of God, and that he alloweth the Book of Articles of Religion agreed upon by Archbishops and Bishops of both provinces, and the whole Clergy holden at London in the year 1562. And that he acknowledgeth all and every of the Articles therein contained, being in number 39. besides the ratification, to be agreeable to the word of God.* By which subscription they allow of all things contained in the book of *Homilies*, and of all things contained in the book of Consecration of Archbishops and Bishops and Ordering Priests and Deacons, that is, they by their Subscription approved of the Divine Right of Episcopacy, which I thus evince.

In the preface to the Book of Orders it is affirm'd, *That it is evident unto all men diligently reading Holy Scripture, and ancient Authors, that from the Apostles times there have been these Orders of Ministers in Christs Church, Bishops, Priests, and Deacons.*

I grant that these words admit of a contrary sence, for without laying the words under a violence they may be understood of *Two Orders* only, namely, of the Order of Bishops or Priests, and that other of Deacons, according to what is in the *Necessary Erudition* of a *Christian man*. And it will admit of a contrary sence too [these Orders] namely [these *three Orders*, *Bishops*, *Priests* and *Deacons*.] In *Queen Elizabeths* dayes, when a Subscription was not requir'd either by Statute, or Canon Law to any Special sence, it was free for any to take it in either sence, and I question not but some took it in the One, and some in the other sence. But as soon as a Subscription was enjoyned to signify an Approbation of the *three Orders*, the case was alter'd, and this was effectually done by the *36th Canon*.

For the evincement of this take the words of some Old Nonconformists in their *Considerations against Subscription*. But how doth the Subscription (you will say) to the book of Ordination, approve the Orders and Degrees of Provincial and Diocesane Bishops, to be by Divine Right rather than by Humane Ordinance? How? (say they) why thus: It is evident (saith the preface of that Book) to all men diligently reading holy Scriptures, and ancient Authors, that from the Apostles dayes, there have been these Orders of Ministers in Christs Church, Bishops, Priests, and Dea-

Deacons. Yea, and by the whole order of prayer, and of scripture read, and used in the Form of Consecration of an Archbishop or Bishop, it is apparent that the Order of an Archbishop or Bishop consecrated by that book, is reputed, and taken to be of Divine Institution; and therefore seeing the names of those Orders of Ministers must necessarily be taken and understood of such Orders of Ministers as be set forth and described in the body of that book, it must needs be intended, that the Ministers, by their Subscription should approve of the Orders of Ministers, mentioned in that book, to be of Divine Institution, and consequently, that Provincial, or Diocesane Ministers or Bishops have not their Essence and Being from the Nomination, Gift and Authority of the King. Besides, if we should otherwise understand it of such Bishops, as are mention'd in the Scripture, then for the Ministers to Subscribe to the book of Ordination, would no way justify those Officers, or Degrees of Ministers, which are described in that book, but would indeed utterly subvert, and overthrow them. Because the Orders and Degrees of a provincial and Diocesane Bishop, of a Priest and a Deacon mentioned in that book, be of a far differing Nature, from those Orders and Degrees of ministers, which are mention'd in the Scriptures, they only agree in the name, and differ in nature. So far the Considerations against Subscription.

Furthermore the Ministers of Lincoln
Diocess

Dioceses refuse to subscribe unto the 39th Article of Religion for these following Reasons. First, because the Book of Consecration of Archbishops, Bishops &c. doth not (whereas the Article saith it doth) contain all things, that are necessary, but omitteth some things, which by the Ordinance of God ought to be observed in the Ordination of Ministers, for the Priest receiveth not in his Ordination any Authority to govern the flock, and exercise the Discipline of Christ, but only to preach the word and administer the Sacraments. Besides they affirm, that there are some manifest untruths avouched in it (whereas the Article saith it hath nothing in it of it self ungodly.) As when it saith, That it is evident to all men diligently reading the Holy Scriptures, and antient writers, that from the Apostles times there have been these Orders of Ministers in Christs Church, [viz, Bishops, Priests and Deacons.] Futhermore it contains Sundry Popish Errors and superstitions, as 1. That it alloweth and establiseth the Offices of Archdeacons, and Archbishops. 2. That Deacons, Priests, Bishops, and Archbishops are made several Orders, and Degrees of Ministry.

By this its manifest, that the old Non-conformists did conclude, That by enjoining subscription unto the book of Ordination, the Divine Right of the Diocesan Episcopacy was asserted, for, by These orders [viz. Bishops, Priests, and Deacons] they

they were to understand these *Three Orders*, Bishops, Priests and Deacons.

That the Episcopal Clergy understood these words in the same sense is too plain to need proof, for which reason I will only mention the Reasons urg'd by Archbishop *Laud* to evince the truth of this. To observe all that has been said by *Sutcliff*, and *Bilson*, *Downam*, and the many Episcopal writers whose books are extant, would be a work as troublesome as it is unnecessary. But this Archbishop in his letter to *Bishop Hall* thus argues, *The antient word in the Fathers is Ordinatio Episcopi; and our phrase is of any of our Brethren the Bishops, he is one of our Order; and why doth the Church of England Ordain, or Consecrate every one that is made a Bishop, if it be but a Degree of the same Order? for when a Bishop is translated, or made an Archbishop, there is then no consecration, because they are Juris positivi. So far the Archbishop.*

In fine, as King *James*, and the subscribing Clergy in his days, were for the Divine Right of the Diocesane Episcopacy, so was King *Charles the first*, as may be seen in *Whitlock's Memoirs*, and several other places.

Thus we see that in the Opinion of all the Learned whether Conformist or Non-conformist, the 36th Canon, which requires subscription to the Article of Religion enjoynes

joynes our allowing of the Diocesane Episcopacy to be *juris divini*.

But here it must be noted, that although the Divine Right of the Diocesane Episcopacy was then by *Canon* established, yet the Episcopalians had not arriv'd unto the utmost point they aimed at, for they acknowledged that the Parish Presbyter receiv'd the *Potestas Ordinis* immediately from Christ, but the *potestas Jurisdictionis* was deriv'd unto him *mediate*, viz. *mediante Episcopo*, whence all Ordinations, by the Presbyters were valid, as *Bancroft* himself acknowledged.

From this concession of the Bishops the old Nonconformists took the advantage to assert the Pastoral Office of the Presbyter, and to prove that every Parish Presbyter according to the Rule given by the Episcopal, must be acknowledged to be vested with the pastoral Power, whence they concluded, that the Parishes were substantially, and essentially congregational Churches.

This I will make as plain as possibly I can. The Learned *Parker* in his *Ecclesiastical Polity*, lib. 3. c. 10. gives us a just account of this Controversie between himself, and *Downam*, shewing that the Episcopalians of his time did hold that Jurisdiction was derived unto the Presbyter immediately from the Bishop. The which that they may with the greater Clearness prove, they distinguish between the *Power of Order*, and *Jurisdiction*; and again, between the

the *Power* it self, and the *Exercise* of the Power, affirming that the Power of Orders is deriv'd to the Presbyter immediately from God, but the Power, of Jurisdiction *Mediate*, and at his Institution; That the Priest receives the Power of Orders as a simple Presbyter; and the Power of Jurisdiction as a Pastour; but then they so frame their notion as to make the pastoral Office of the Presbyter to be but an *Episcopal delegation*, which is to be exercised under the Bishop as the Bishop shall direct; whence 'tis that they look'd on the Bishop to be the *principal* or *special Pastour*, but the Presbyter to be a *less principal* Pastour, made so by an Accidental Assignment of the Bishop; the Bishop was, they said, a Pastour Essentially; and the Presbyter a Pastor, only Accidentally. They did not at first deny a Presbyter to be a Pastour, but yet so minc'd the matter that they left him little more than the name, and the execution of the Bishops mandates.

But these Episcopalians granting that the *Power* of Orders was deriv'd immediately from God to the Presbyter, the learned *Parker* takes the advantage of it to prove, that the parish Presbyter derived his Jurisdiction *immediately* from God. But in the first place he shews how the Bishops deal with the Presbyter; even as the Pope deal't with the Bishops, who according to the Popish notion derive their Power from
 B God

Nihil aliud
Jurisdictio est
quam Ordinis
exercitium.

Recte enim
adversus Bellarminum Guil.
Whitakerus
[qui dicit non
conferri potestatem Jurisdictionis,
quando confertur potestas
Ordinis, is parum ab infano
est]

Excepta
Ordinatione
(i.e.) excepta
Presbyterorum electione,
qui cum in
praesidem eligerent, ita nil
facit Episcopus,
quod
Presbyter non
facit nisi ex
Ordinatione
& Electione
Presbyterorum
nisi quod
illi Ex communi consensu
Presbyterorum collatum
est.

God *mediante Papa*, and so receive it immediately from the Pope: and then shews the vanity of their distinctions, asserting that *Jurisdiction* is *nothing but the exercise of Orders*. Whence to assert that the Power of Jurisdiction is not conferr'd when the Power of Orders is conferr'd, is to act the part of a mad man, as the famous *Whitaker* in his controversy with *Bellarmino* observes; and even as the Bishops prove, that the Power of Jurisdiction is deriv'd immediately from God, so he proves that the Presbyter receives both the Power of Orders and Jurisdiction immediately from God. And in his 15th (which is his last) Argument, he shews that the Bishops derive their Power from the Presbyters, not the Presbyters from the Bishops. The Bishops, saith he, were not from the beginning, Presbyters were long before them: and as *St. Jerome* observes, a Bishop hath no other Jurisdiction than what he receiv'd from the Presbytery. *Quid facit Episcopus* (saith *St. Jerome* *excepta Ordinatione quod non facit Presbyter*?) That is, as *Parker* expounds it, the Bishop doth nothing more than a Presbyter, but by the Ordination of the Presbytery who chose him to that Office.

Moreover this learned *Parker* proving even from the Episcopal concessions, that the Parish Presbyter was vested with the Power of Jurisdiction, deriv'd immediately from

from God, he, as the old Nonconformist generally, did look on the Parish Minister to be a Pastour, and the Parish Assembly to retain the Essentials, and Substantials of a true particular Church, which they assert is Congregational. Of this judgement were the *New England* Ministers, and in special the *Learned Hooker*.

Vide *Parish
hers Eccles
Pol. l. 3. c. 16.
§ 2. p. 167.
Church Cove-
nant p. 36. Mr.
Hookers Sur-
vey of the
sum of Church
Discipline. parts
1. c. 4 p. 47. 48.*

The Episcopalians finding themselves thus pinch'd by the Nonconformists, they do not only deny the Presbyter to be vested with *Jurisdiction*, but moreover deny him the *Power of Orders*, so that whereas formerly they esteemed an Ordination by Presbyters to be valid, they alter their opinion, affirming, that the *Potestas Ordinis & Jurisdictionis* belongs only to the Diocesane Bishop; that the Parish Priest is no Essential nor Accidental Pastor; that the Diocesane Bishop is the only Pastor of the Diocesan Church which is a particular Church of the lowest rank and order, and the Parish Minister is but the Bishop's delegate, or curate.

The bringing the Government of the Church to this point, was the attempt of Archbishop *Laud* but he was decapitated before a settlement of this sort of Diocesane Episcopacy could be established. But soon after his late Majesty's Restoration, those of the Episcopal Clergy who were appointed by his Majesties Commission to review the books of *Common prayer* and

of Ordering Bishops, Priests and Deacons, did their utmost to frame all things according to Arch bishop *Laud's* model; and in all those places where they found the word [Pastour] in the Common Prayer book spoken of the *Parish Priest*, they blot it out giving them no better name than Priest, or Curate. Thus in the Letany, the old Common Prayer book has it in these words [that it may please thee to illuminate all Bishops, Pastours, and Curates,] in the new it is [all Bishops, Priests, and Deacons]; and at the Communion in a Prayer for the whole state of the Church militant here on Earth, in the old 'tis [Give Grace to all Bishops, Pastours, and Curates,] but in the new [give Grace to all Bishops and Curates.] Moreover in the book of Ordering Bishops Priests, and Deacons, they have made such momentous alterations as do plainly evince that the Bishop is the sole Pastour.

In the *Preface* to the book of Ordering Bishops, Priests, and Deacons, besides what I have already noted, there is a momentous difference between the old and the new; for whereas in the old it's said [that it is requisite that no man, not being at this present, Bishop, Priest or Deacon, shall execute any of the said functions, except he be called, tried, examined, and admitted thereunto, according to the form hereafter following,] in the new its thus, [no man shall be accounted or taken

to be a lawful Bishop, Priest, or Deacon in the Church of England, or suffered to execute any of the said functions except he be called —according to the forme hereafter following, or has had formerly *Episcopal Consecration, or Ordination.*]

By this very alteration its manifest, that though the old book was against such men's *Executing* the Functions, that were not Episcopally ordained, yet they did not with the new deny them to be of the *Priestly function*; and the new, by denying them to be of the *Priestly Function*, doth insinuate that there is nothing of the pastoral Office left the Parish Priest, for so long as the Pastoral Power belonged to the Parish Minister, their Ordinations were esteemed valid though irregular, but now its not so.

Again in the old book, in the *Ordering of Priests*, the Epistles and Gospels to be read were such as did shew their Office to be *Pastoral*, for *Acts* 20th from the 17th. verse to the 36th. which shews the Office of the Presbyter to be the same with that of the Bishop; and *Matth.* 28. 18, 19, 20. and *John* 20. 19, 20, 21, 22, 23. which speak of the Power of binding and loosing, was used to assure us, that they esteemed the *Priestly Office* to be *Pastoral*, but are in the new book taken out of the *Ordering of a Priest*, and inserted in the *Consecration of a Bishop*. The which makes it very manifest that they

depriv'd the Parish Priest of the Pastoral Office, giving it wholly to the Bishop.

Whoever will consult the Exhortation and observe those two or three lines which precede that part of it, which Mr. B. *Quotes*, will find that the design of the *Holy Lessons* taken out of the Gospel, was to shew them the *Dignity and Importance of that Office*, unto which they were call'd, for the Bishop tells them, That you have heard Brethren, as well in your private examination, as in the exhortation which was now made to you, and in the very *Lessons* taken out of the Gospel, and the *Writings of the Apostles*, of what dignity, and of how great importance this office is whereunto ye are called, the which words plainly direct us to conclude, that the Alterations of the Lessons do plainly shew an Alteration of the Office, and that though by the old Lessons the Office was Pastoral, yet by the new Lessons it was not so.

Besides in the old Exhortation, they were called [Messengers, Watchmen, and Stewards, and Pastours of the Lord,] but in the new the word [Pastours] is left out. And whereas in the old the Bishop did ask, whether he did think in his heart, that he was truly called according to the Will of God and the Order of the Church of England, to the [Ministry of Priesthood; in the new it is to the [Order] and Ministry, making thereby Priesthood an Order of it self distinct from those of Deaconship and Episcopacy.

Episcopacy. And when the Bishops with the preists present lay their hands on the Ordained, the Bishop is more particular and expresse in shewing what his office is, for to what is in the old booke they add, *Receive the Holy Ghost [for the Office of a Priest in the Church of God, now committed unto thee by the Imposition of our hands.]*

In the Ordaining and consecrating of an Archbishop or Bishop in the *Collect*, to shew what they mean by Bishops, by way of Explication its added in the new, to all Bishops [the Pastors of thy Church,] and that it may be a truth past doubt that the Bishop is of a distinct Order from a Priest he is to be *Ordained* again, and therefore the two Bishops, who present him to the Archbishop say [*most Reverend Father in God, we present unto you this godly, and well learned man to be [Ordained] and consecrated Bishop*] and in that Prayer for the Bishop [*Almighty God &c.*] whereas in the old booke 'twas [*Replenish him so with thy Truth*] — that *he may faithfully serve thee in this office to the [Edifying of thy Church,]* in the new it is [*to the well Governing thy Church.*] And when the Archbishop and other Bishops present to lay their hands on the elected, and according to the old booke were to say [*Receive the holy Ghost &c.*] in the new its added [*for the Office, and work of a Bishop in the Church of God now committed unto thee by the imposition* of

of our hands in the name of the Father &c.]

Now let any impartial or unbiass'd Reader duely weigh all that has been urg'd out of the Canons of 1603. and the accompt I have here given of the steps, our Episcopallians made in the latter end of *Q. Elizabeths* reign, but more especially in *King James*, *King Charles* the first, and his late Majesties reigns, especially the great Alteration of the book of Ordering Priests and Deacons, he cannot but conclude with me, that now *that Law*, which establisheth the Book of Consecrating Bishops, and Ordering Priests and Deacons, hath settled the Episcopal *Order* as distinct from the Presbyters, and hath taken from the Presbyter the Power of Government and placed it only in the Bishop, who according to the Book of Consecration receives his Office as Bishop [*i.e.* as of an Order distinct from and superiour to that of Presbyters] by the imposition of Episcopal hands, yea so very strict is the *Act of Uniformity* in this point, that it doth not only establish the book with the alteration of the *Epistles*, which sufficiently argues a Translation of the Pastoral Power from the Presbyter to the Bishop, but moreover, though ever till now Presbyterian Ordinations were esteemed Valid by the Civil Magistrate, though irregular, yet now they are in effect declared Null and void, not only by establishing the above-mentioned alteration in the preface to the

Book

Book of Orders, but by an exprefs clause in the very Act it felt, where 'tis enacted, *That from and after the feaft of St. Bartholomew, which shall be in the year 1662. No Person who now is incumbent, and in the poffeffion of any parfonage or benefice, and who is not already in holy Orders by Epifcopal Ordination, or shall not be, before the faid feaft day of St. Bartholomew, ordained Priest or Deacon according to Epifcopal Ordination shall have, hold, or enjoy any Pafonage with cure, or other Ecclefiaftical Promotion within this Kingdom, &c. but shall be utterly disabled, and ipfo facto depriv'd of the fame, and all his Ecclefiaftical Promotions shall be void as if he were naturally dead.* So far the ftatute of the 14. Car. 2. but what can be more plain than that there is an effential alteration made on the Prefbyters Office, for hereby, though formerly they being vefted with the Power of Orders, in being denied Jurifdiction, nothing but the exercife of the Power was denied them, for Jurifdiction is but the exercife of Orders as *Parker*, and the Archbishop *Spalatenfis* and before them the learned *Whitaker* againft *Bellarmino* have proved, I fay hereby both the Power and Exercife is taken away.

That the *Presbyters Ordination* is by this clause of the ftatute made void and null as if the man had been naturally dead is exprefs, and that this doth moft plainly in-

infer the nullity of their Power of Orders and Jurisdiction is also as undoubtedly true, so that the Presbyters Office is an office without the Power of Orders and Jurisdiction, he wants an Essential of the Pastoral Office, and the Bishop alone is the Pastor of the Particular Diocesane Church which is a single particular Church, I say, [*single*] Church for it hath but one Pastor, that is, It's a particular Church of the lowest order, and the Parishes are but parts of this single Church, their Ministers but sub-half-Presbyters, who have no other Power, but what is deriv'd unto them from the *Bishop*. All which doth now most exactly accord with the Instrument of the Bishops by which they gave Institution to a parish Priest, which is in these words, *Instituo te ad tale Beneficium, & habere curam Animarum de tali parochia, & accipe curam tuam & meam. Vide Cooks Reports 4. 79. a. Digbie's case.*

Here 'tis manifest that the Bishop has a special cure in the Parish, which he transferr's on the Parish Minister for saith he *Accipe curam tuam & Meam.*

This may suffice touching the *Form* of the Diocesan Constitution, I will now very briefly speak of the *Matter* of a Diocesan Church.

Aphorisme. IV.

All Baptized Christians, not excommunicate, whether Papist, or Protestant, whether Heretick, or Schismatick, Drunkard, Adulterer, or otherwise debauched, that are Subjects of this Realm, ^{and} live within the Bounds or Limits of any Diocess, are the Matter of which a Diocesan Church is made up.

1. **T**hat the *Diocesan Church* is made up of Baptized Christians is too manifest to need proof. And that whoever is baptized must, if Adult, personally (if an Infant, by his Godfathers and Godmothers) profess to renounce the Devil, the World, and the Flesh, is plain in the *Rubrick* about Baptism.

But yet 2. it must be acknowledged, that by the 68th. Canon made in the year 1603. *No Minister shall refuse or delay to Christen any Child according to the form of the Book of Common Prayer, that is brought to the Church to him upon Sundays, or Holy Days to be Christened, convenient warning being given him thereof before, on pain of being suspended from his Ministry the space of three Months.* And in the 29th Canon, no Parent shall

shall be urged to be present at the Baptizing his own Child, So that let the Child be of Jewish, Pagan, Mahometan, or notoriously debauched Parents, and brought to the Parish Minister to be Christened according to the Common Prayer-Book, this Child is a Member of that Diocesan Church, in which it was baptized, or afterwards, in which it shall live.

3. How wicked soever any Baptized or Christened Inhabitant within the Diocess may be, yet if not *Excommunicated*, or doth say he doth *humbly* and *heartily* desire the Lords Supper, he is to be admitted, if he will take it according to the form in the Common Prayer Book prescribed.

The Truth of this is not only confirmed by the *Rubrick*, but by constant Practice of the whole Clergy, who admit the vilest Adulterers, Drunkards, and other Profane Persons to that Sacred Ordinance. Besides

4. That all such, unless Excommunicated *majori excommunicatione*, remain Members of the Diocesan Church, is clear from what is enjoined all Ministers in the 68th Canon, who are obliged to bury any Corps, that is brought to the Church, or Church-Yard in such manner, as is prescribed in the *Common Prayer Book*, I say, any Corps, unless the Party deceased were denounced excommunicate *majori excommunicatione*, for some grievous or notorious Crime, and no Man

Man able to testifie his Repentance. At which time the Parish Priest or Curate must pronounce him a Saint in these Words [*for as much as it hath pleased Almighty God of his great Mercy to take to himself the Soul of our Dear Brother here departed.*]

But to do the Church of England right, it must be acknowledged, that the new Rubrick saith that [the Office ensuing *viz.* that to be read at Burials] is not to be used for any that dy unbaptized, or excommunicate, or have laid violent Hands on themselves:] So that all that have been Baptized, and not Excommunicate, nor have laid violent hands on themselves, what Wickedness soever they have been otherwise guilty of, they must to the very last moment of their Lives, be esteemed Members of the Church of England.

5. They must be Subjects of this Realm, and Inhabitants within some one of the 26 Diocesses. A Subject because the Church is not of larger Extent than his Majesties Dominions, an Inhabitant within some one of the 26 Diocesses, which restrains it to English Subjects, but then it must be observed that all English Men, excepting what live either in Scotland or Ireland, if in any place beyond the Seas do belong to London Diocesse; As for Exempt peculiars, some of which belong to no Diocess, we speak not of them, nor do they make any such Alteration in the State of the Church, as to
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milicate against any thing I have urged.
And so much touching the *Matter* of a Di-
ocesan Church.

Aphorisme V.

*There are certain things imposed by Canon
and Statute Law, as necessary Terms
of Clergy and Lay Communion.*

I. **T**Here are several things required of
the *Clergy* as necessary *Terms* of their
being admitted unto the Exercise of the
Ministerial Office.

1. They must *Assent* and *Consent* to every
thing in the Book of *Common Prayer*, the
Book of consecrating *Bishops* and *Ordering*
Priests and *Deacons*, to the Book of *Articles*
and *Homilies*. This much is enjoined by
the 36 and 37th *Canons*, and the *Act of Uni-*
formity. And this Subscription must be
Absolute without any Reserves. To sub-
scribe so far as agreeable to the Word of
God, or Law of the Land is not suffici-
ent.

In his *Majesties Declaration* prefixed to
the Book of *Articles* 'tis express, 'That no
'Man must Print or Preach to draw the Ar-
'ticles aside any way, but shall submit to it
'in the plain and full meaning thereof. And
shall

shall not put his *own sence or comment* to be the meaning of the Article, But shall take it in the Literal and Grammatical sence. And my Lord *Ch. Jus. Coke* saith, That he heard *Wray Ch. Jus. R. R. pasc.* 23. *Eliz. report*, That where one *Smith* subscribed to the 39 Articles of Religion with addition [*so far forth as the same were agreeable to the word of God*] that it was resolved by him, and all the Judges of *England*, That this subscription was not according to the statute of 13. *Elizabeth*, because that statute required an *Absolute* subscription, and this subscription made it *Conditional*. And *Godolphin* in his *Abridg. Eccles. Laws. c. 13. s. 8.* saith, That the addition [*so far as agreeable to the Law of the Land*] is not good, the old learned *Parker* suggests the same thing, complaining that such as offer'd to subscribe [*so far as agreeable to the Law*] were not admitted. And even in this very day a *Doctrinal interpretation*, will not be allowed. But.

2. All the Clergy must declare their satisfaction in the above described Diocesane Constitution, as to *Declare* that they will not *endeavour* any alteration of it, whereby they all do sufficiently discover to the world that they approve not of Congregational Bishops, nor do they look on the Parishes to be any other than parts of the Diocesane Church, nor themselves to have any governing power over them: ~~the~~ Parish; they own themselves ~~to~~

to be no Pastors, to be but sub-half-presbyters, for the making the Parish an entire Church, or the Assuming to themselves the pastoral Power is destructive of the Dioce-
sane Constitution.

3. They must all swear to observe all the *Canons*. This much is required from them when they are to take the *Oath of Canonical Obedience* unto their Ordinary. *Canonical Obedienceddience* is such obedience as the *Canons* and *Constitutions* rightly made and published do require. So *Lind-wood*; *Canonica Obedientia est Obedientia Secundum Canones & Constitutiones rite editas & publicatas*. The Rule then 'of their *Licita & honesta* (for they swear to be obedient to their Ordinary in *omnibus licitis & honestis*) are the *Canons*, and their swearing Obedience thus, is to swear that they will be obedient *secundum Canones*. I might here be very particular in shewing what they are bound unto in swearing to observe the *Canons*, but I wave it as easy for any to do, and somewhat foreign to my purpose.

II. The Terms required of the Laity.

1. All those who bear office, as *Majors* and *Aldermen* in *Corporations*, *commission'd Officers* in the *Militia*, must swear to the present Government of the Church. And so must the *Vestry* men, who are the principal and most famous part of the Parish. All these do so fully declare their approba-

approbation of the present Church Government that they never endeavour an alteration of it.

2. All the Laity are required to approve of the Government of the Church, as Apostolical, to hold Communion in their Rites and Ceremonies as approvers of them, and to fix in the Parish as a part of the Diocesane and not to hold Communion with any others that are English men.

In Can. 3, 4, 5, 6, 7, 8. tis ordained, That whoever shall affirm that the Church of England by Law established is not a True and an Apostolical Church [i. e.] A Church formed and ~~there~~ according to Divine institution] or whoever affirms, that its worship contained in the Book of Common Prayer, and administration of Sacraments is a Corrupt Superstitious, or Unlawful worship of God, or that any of the 39 Articles are in any part Superstitious, or Erroneous, or such as he may not with a good Conscience subscribe unto, or that the Rites and Ceremonies of the Church of England are such as being Commanded by lawful authority, men who are Zealously and godly affected may not with a good Conscience approve them, use them, or as Occasion requires subscribe unto them, or that the Government of the Church of England by Archbishops and Bishops, &c. is repugnant to the word of God, or whoever shall affirm or teach that the Form or Manner of making and consecrating of Bishops, Priests

or Deacons containeth any thing in it that is repugnant to the Word of God, are to be Excommunicated ipso facto, and not to be restored until they repent and publicly revoke such their wicked Errours.

In the Ninth, Tenth, and Eleventh Canons all such are accursed, who shall separate themselves from the Church of England, and combine themselves together in a new Brotherhood, or whosoever shall affirm, That such Ministers as refuse to subscribe to the Communion Book, and the Adherents may truly take unto them the names of another Church, not establishe d by Law, and dare presume to publish it that this pretended Church hath of Long time groan'd under the burden of some certain grievances imposed upon the members thereof beforementioned by the Church of England, or whosoever shall maintain, that there are within this Realm other Meetings, Assemblies or Congregations of the Kings born subjects than such as by the Laws of this Land are held and allowed, which may rightly challenge to themselves the name of True and Lawful Churches, let them be Excommunicated and not restored but by the Archbishop after Repentance and publick revocation of such their wicked Errours. So far these Canons, which plainly enough shew that the Conformists, who are sworn to them, do hold the Church of England to be in her Constitution, Government, service

service, Administration of Sacraments &c. so very agreeable to the word of God, that what persons soever presume to assemble together, and erect Churches of different constitution, worshipping God in any other manner than is prescribed by the Law of the Land, cannot possibly make their Assemblies true Churches, but if they affirm them to be true Churches, they fall under the curse.

And doth not this make it apparent that the Conformity of the People, as well as Clergy is required as an Overt act of their approving the Episcopal Church constitution, Government, and way of worship, and indeed of disliking all other waies, that are observ'd by any of the Kings borne subjects in this land. Now that which is a further confirmation of all this, is, that in the 98th. Canon, *All such as will not personally promise and avow, that they will faithfully keep, and observe all the Rites and Ceremonies of the Church of England, as also the prescript, form of Common Prayer, and likewise subscribe to the Three Articles, unto which the Clergy are required to subscribe, are in the esteem of the Church of England Factionous, and therefore whenever they find themselves griev'd or oppress'd by their inferiour Governors are denied the Relief of an Appeal.*

Furthermore by the 27th Canon, *All those, that refuse to kneel at the Reception of the Sacrament, and to be present at publick*

Prayers according to the Orders of the Church that is, as the 18th Canon shews, All those, who refuse reverently to kneel when the General Confession, Litany, and other Prayers are read; and will not stand up at the saying of the Belief, and bow at the name of Jesus, testifying by lowly Reverence their inward Humility, Christian Resolution, and due acknowledgement that the Lord Jesus Christ the true and eternal Son of God is the only Saviour of the world, nor say in their due places and audibly with the Minister, the Confession, the Lords Prayer and the Creed, nor make such other answers to the publick Prayers as are appointed in the book of Common Prayer, and Administration of Sacraments, All such as refuse to do either of these things, are to be denied the Communion and what Minister so ever shall wittingly admit them, he is lyable to a suspension. But doth not this sufficiently evince, that all these things, viz. Kneeling at the Sacrament, a reverent joyning with the Church in her Prayers, Bowing at the name of Jesus, making Responses &c. are made necessary terms, of our Communion with them. All these things are *sine quibus, non.*

Now as our Lay conformity is by Canon Law strictly requir'd as an overt act of approving of their Church state, Ceremonies, &c. so is all this enjoyned by Statute Law too.

In the 1. Eliz. c. 2. which by 14. Car.

2. is applicable to the present *Common Prayer book*, and book of *consecrating Bishops*, and *Ordering Priests and Deacons*, 'tis enacted, 'That if any person or persons whatsoever shall by any open words declare, or speak any thing in the *Derogation*, *Depraving*, or *Despising* of the Book of *Common Prayer*, or of any thing therein contained, or any part thereof, that then every such person, being thereof Law-fully convicted shall forfeit for the first Offence, an hundred marks, for the second four hundred marks, and for the third all his Goods, and Chattels, and Imprisonment during life. Besides in the same Statute 'tis enacted That all and every person and persons inhabiting within this Realm, &c. shall *Diligently* and *Faithfully* endeavour themselves to resort to their Parish Church—upon every Sunday—and then and there to abide *Orderly* and *Soberly* during the time of *Common Prayer* upon pain of punishment by the Censures of the Church. But can any man of Common sense think that the Law which requires our *diligent* and *faithful* resorting to Church, our *sober* and *Orderly* demeanour at Church in the time of *Common Prayer*, doth not exact our Presence as an overt act of our Approving the worship which we must be present at? The Learned in the Law tell us, That though a man go to

Church and abide there during the whole service, yet may he be lyable to the penalty of this Law, for there are four *Adverbs* in the Statute. 1. *Diligently*, which denotes *Attention*, 2. *Faithfully*, *Devotion*. 3. *Soberly*, *Gravity*, and 4. *Orderly*, *Decency*. All which ought to be observ'd, so that if he walk or talk in the Church [or deport himself *irreverently*] thereby shewing his *Dislike* of the Service, during the service of God there, he may be punished, upon this Act, as if he were absent. See *Cok. Ch. J. B. R. Rolles* 193. c. 41. *Foster's case*. and *Cawley on. 1. Elizabeth c. 2.*

Whoever will consider the many Laws that strictly enjoin our constant communicating with the Church of *England* in her worship, and most severely forbids our publique worshipping of God in *any other way*, cannot but see that the Diocesane Church, *frame*, *Ministry*, and *worship* is set up as the *best* yea as the *Only* way in which the Kings borne subjects are to worship God publickly. These Statutes that forbid all other wayes of worship, do it thus, that they shall not meet above four, besides the family on pretence of the *exercise of Religious worship* in any other way or manner *then according to the Liturgy*, and *practice of the Church of England*, the which shews that the Law doth not only call for our communicating with the Church of *England*, as Approvers of whatever is by Law

Law established in that Church, but such Approvers as content themselves with the Church worship alone. They must be *fixed* members of the Diocesan Churches, and *constantly* hold communion with them in the Liturgick worship, and not be at an Assembly where the worship is in *other manner* then according to the Liturgie and practice the Church of *England* on pain of five shillings for the first offence and as much more as the Magistrate shall judge meet to put on him for the preacher, or House, or Poor, not exceeding ten pounds.

Thus you see that the *Local* presence of the Laity are both by *Canon*, and *Statute-Law* required as an overt act of our approving their Church frame, Worship and Ceremonies, and this much is enjoined on grievous penalties, both on Soul and Body, the which shews that our Lawgivers have been greatly concerned for our closing with the present worship and abiding only by it.

Its a Rule laid down by *Bishop Taylor*, that the Gravity or Lessening the sin of Disobedience unto Humane Laws is to be measured by the *Penalty*. He commits a great Sin that breaks a Law which is established upon great penalties. His reason is, 'Because 'tis regularly to be presumed, that the Supremie Power puts much upon it, when he is so earnest for its Observation. *Rem, quæ culpa caret, in damnum vocari non con-*

venit, saith the Law Chap. 2. *de cons.* If
 there be no fault there ought to be no punish-
 ment, they are Relatives, and ought also to
 correspond in their degree. *Quis dubitavit*
hoc sceleratius commissum (saith Austin) *quod*
est gravius vindicatum? Ut juxta mensuram
delicti sit, & plagarum modus, Deus. 25. 2.
 When Ecclesiastical punishments are su-
 peradded to a Civil Law, or a Civil punish-
 ment to an Ecclesiastical Law, it is to be
 presumed that the Law-giver puts much up-
 on it. He can by no means more amply and
 more earnestly signifie his purpose of oblig-
 ing strongly than by using both the *Tempo-*
ral and *Spiritual* Sword. See Bishop
Tailors Duct. Dubit. lib. 3. c. 1. n. 16. 19.

Seeing then the Magistrate hath used
 both the *Temporal* and *Spiritual* sword
 to oblige the People to rest satisfied in
 confining themselves to the publick wor-
 ship by the Liturgy, what can be more
 manifest then that they would have us
 joyn with them as Approves of the Dio-
 cesan Church kind Ministry and worship?

This much I count is enough to shew
 what is required of the People as terms of
 Communion with the Church of England;
 and what I have laid down in these five
Aphorismes may serve to shew so much of
 the state of the Church of England as the
 Dissenters are concerned to know. For
 in the Description of this Church I have
 shewn what kind the single Churches by
 Law

Law established are of, namely *Diocesan*; A particular Church of the lowest rank, and order is made up of many score or hundred Parishes under one *Pastor*, the *Diocesan Bishop*; whose Parish Ministers have no *Governing* Power committed to them, nor are their Parishes any more than *Oratories* or Chappels of Ease unto the Bishop; The matter of which these Churches are made up, are such baptized Christians as are the *Kings born-Subjects*, and not *Ex-communicate*, and live within the limits of the Diocess, how wicked, how sinful, and debauched soever they be: The things they impose on the People, as *Terms* of *Com-munion* are their approving the *Diocesan Church Frame*, the *Liturgick worship*, and *Ceremonies*, and a submission unto the *Diocesan Bishop*.

The next part of my work is, to give a true account of the *principles* of *Protestant Dissenters* about the *Ministry*, *Worship*, and *Discipline* of the Church of *England*, and what is the *state* of the Churches of these *Dissenters*.

Chap.

CHAP. II.

What the Protestant Dissenters hold touching the kind of Diocesan Churches, Ministry, Discipline, and Worship. The opposition there is Between the principles of the Church of England, and the Dissenters impartially stated. The grounds of the present Division faithfully laid down.

I Might be very particular in shewing the *sentiments* which several Dissenters have of the Diocesan Constitution, how that they esteem it at best but an *Humane Invention*: but 'twill be sufficient that I do
 1. In the general shew, that such is the *Difference* between the fore described Diocesan Church kind, and that of the *Presbyterian*, and *Independent*, that the One is destructive of the other. 2. More particularly shew wherein the difference between them doth lye as to the *Matter* and *Forme* of an Instituted Church, and the *Terms of Local Communion*, the which can be no sooner done, but an Ordinary capacity may see where lyes the *Ground* of the present disease, and malady that hath so very grievously tormented the Churches of Christ in these Nations.

Seet.

Sect. I.

*The Present Diocesan kind of Churches,
In consistent with and Destructive of the
Presbyterian, and Congregational
kind of Churches more Generally shewn.*

BEfore I proceed to the proof of this *General* 'twill be necessary, that I tell the *Reader*, that though the present Diocesan Constitution be destructive of the *Presbyterian*, and *Congregational* kind of Churches, yet there is no such inconsistency between the Old English Episcopacy and the *Presbyterian*, or *Congregational* Church kind, for both *Prebyterian*, and *Congregationalist* can cheerfully submit unto any *Bishop*, as he is the *King's Officer circa sacra*; They all hold his Majesty's Supremacy in Ecclesiastical affairs, and will submit unto such an Episcopacy as was in the beginning of *Queen Elizabeths*, and in *King Edward the Sixths* Reign. But it is the *new species* of Episcopacy, which was never by statute Law established before the 14. *Car. 2.* that is so very opposite unto, and destructive of the *Presbyterian* and *Congregational* kind of Churches.

Now that this Episcopacy is Destructive of the *Presbyterian* and *Congregational* kind of Churches, or Church Government, is a truth

truth so great, that it cannot but be matter of wonder, & surprize to thinking men amongst the Learned to see, that there are any, who in the least doubt it. For what more certain then that its naturally impossible to settle either the Presbyterian, or Congregational Church Government in this, or any other Nation, and yet not destroy the *new Episcopal species*, what man of sence can be perswaded to conclude, that though this Episcopal Church Forme be *de facto* erected, yet no hurt is done the Presbyterian or Congregationalist; Or who can reflect on the *strugglings*, there have been in this Kingdome between these several Church Governments, and not be convinced of this.

The Canons in 1640 imposed the *Et cetera* oath, which had these words in it [*I. A. B. will never give my consent to alter the Government of the Church by Archbishops, Bishops, Deanes and Archdeacons &c.*] But could any man take this Oath, and yet consistently with it *Consent* to the setting up either the Presbyterian, or Congregational Church Government? No verily and why, but that such is the Nature of the Episcopal Government and such that of the other two Governments, that neither of them can be set up but to the Alteration of the Episcopacy, unto which they are not to consent.

After this the *Solemn League, and Covenant*

was impos'd that was for a Reformation of the Government of the Church according to the word of God, and the best reformed Churches. This Oath I think was taken both by Presbyterians, and Congregationalists, but could either keep this Oath, and not root up the Diocesan Episcopacy? No, they could not, and therefore in it they swear that they will in their places endeavour the extirpating that very Episcopacy, to which the *Et cetera* oath did before oblige men.

But in 1662. there is another Alteration made, the Episcopal Government (not according to Bishop *Usher's* model, but according to this new species) was *de facto* settled in pursuance of the act of Uniformity, which enjoyned subscription of Assent and Consent unto it, on which occasion near two thousand Presbyterians, and Congregational Ministers left their places. And afterwards the Oxford Oath, obliging all these Nonconforming Ministers to swear they would not endeavour any alteration of the present Episcopal Government, on the penalty of not coming within five miles of a Corporation &c. did drive many from their habitations.

But why could not these Presbyterians, and Independents give in their Assent and Consent to the Episcopal Government, was it not because 'twas inconsistent with that kind of Government, which was either
Presby-

Presbyterian or Congregational, which they believed to be of Christs Institution? Moreover our Governours who were sensible that these different Governments and Oaths were inconsistent, to the end they might secure the present *Episcopacy*, do pass a severe Act against all attempts for the setting up either the Presbyterian, or Congregational Church's Government. This was done the 13. Car. 2. c. 1. where 'tis enacted *That to the end no man hereafter may be misled into any Sedition or unquiet demeanour out of an opinion—that there lie's any obligation upon him from any Oath, Covenant, or Engagement whatsoever to endeavour a change of Government either in Church or State—if any person or persons shall maliciously, and advisedly by writing, printing, preaching, or other speaking express, utter, publish, declare, or affirm—that there lie's any obligation upon him, or any other person from any Oath, Covenant, or engagement whatsoever to endeavour a change of Government either in Church or State—that then every such person and persons so aforesaid offending shall incur the danger and penalty of a proemunire—And it is hereby declared that the Oath usually called the Solemn League and Covenant was in it self an Unlawful Oath &c.* So far the Statute. And what greater care can be taken to secure the Episcopal Church Government? For this very reason, also in the *Act of Uniformity* all the Clergy
mult

must abjure this Solemn League and Covenant, and all declare, that they will on no pretence whatever endeavour an alteration of the Government of the Church, and not only the *Clergy*, but all *Mayors*, and *Aldermen* of *Corporations*, yea and all the *Vestry* of every Parish and all Nonconformist *Ministers*, that will live within five miles of a Corporation, must declare that [they'l not endeavour an alteration of the Church Government] which words plainly import as much *objectively* as the *Et cetera*-Oath (though [not endeavouring] be somewhat less than [not consenting] as a Reverend Divine hath observ'd.

From this consideration that there are several Statutes, which oblige men by Declarations, Oaths, &c. to the present Diocesan Church Government against an alteration of it, an Argument of great weight doth arise, which proves that the *Species* of the present Episcopacy is different both from the *Presbyterian*, and *Congregational Species*.

The Argument I thus form. Either these Declarations, Subscriptions and Oaths do oblige the Declarer, Subscriber and Swearer to a Church of a Species different from the *Presbyterian* or *Congregational*, or they do not. If *not*, then our Governours obtain not their end in destroying the solemn League and Covenant; for a man may consistently enough pursue the ends

ends of that Covenant, in erecting either the *Presbyterian*, or *Congregational Government*, and not act contrary to the above-mentioned Declarations, Subscriptions and Oaths, for those Governments are of the same Species with the present Episcopacy. Besides on this supposition no hurt was done to the Church of *England* in the late times of *Usurpation*, for the same Species stood still, yea you may depose Lord Bishops, Deans, and Chapters, Archdeacons, &c. and put down their Courts, and share of the Lands without an Alteration of the Species of the present Episcopacy; yea further should all Diocessane Bishops be deposed, and a Congregational Bishop set up in every Parish, the Species is not altered: Furthermore, one that hath declared, and subscribed, and taken the Oath that he'll not endeavour an alteration of the present Government, may do all that in him lyeth to pull down Diocessanes, and say that he did swear only not to endeavour an Alteration of the Species but not of the Degrees; and so not act contrary to his Oath or Subscriptions. Yea the Assembly of Divines, and all those who were for Bishop *Ushers* Model, were not only for Episcopacy *in genere*, but for an Episcopacy of the same Species. But doth not this contradict common Sense? What are the Presbyterians and Congregationalists Episcopal Men, and yet suffer the loss of all, because they subscribe not unto

into that Species of Episcopacy which they are for.

But if the present Episcopacy be of a different Species, not only from *Presbytery*, and *Independency*, but from Bishop *Wheats* Model; If the present Episcopacy, Presbytery and Independency be of different Species, then the putting down one and erecting of another contrary Species, is the destroying one to the Exaltation of the other, and if the present Species of Episcopacy be distinct from the Congregational, and the Episcopal Species be erected and not the Congregational, 'tis impossible to obey the Law in conforming unto the Episcopal Species, and yet at the very same time, in the very same act, keep alone to the Congregational Species.

This much flows from the Consideration that Archbishop *Laud* and the Convocation in 1640. did impose the *Et cetera Oath* to prevent an Alteration of the Episcopal Species of Churches; and the Imposition of the Covenant for the altering that Species; and the Abjuring the Covenant and subscribing unto the present Episcopacy, and declaring and swearing they'l not endeavour an alteration of the present Episcopacy.

There are other Considerations that evince the same, on which I will at this time insist, ingenuously confessing that I am owing to the Learned Mr. B. for the *Episcopacy*

pick on which I proceed; and though, since his late shamefull Tergiversation, his Authority is not worth a straw, yet his Reasons remain herein impregnable, and because as expressed by him they are very strong, I will for the most part keep his words, though I will not confine my self unto them.

It must still be remembred, that the great point in controversie is, Whether the *Diocesan Churches* and *Bishops* be of the same kind with the *Presbyterian*, or *Congregational Churches*, and *Bishops*, but more especially, Whether the present *Episcopal Churches*, and their *Bishops* be according to the *Congregational species*? I express it thus, because those who contend with us carry it that way, and therefore I will for the future in this part of the Controversie keep to it as thus worded.

That the matters in debate be brought unto the fairer issue, we must consider in what predicament a *Church* and a *Bishop* are, which we shall find to be in that of *Relation*, unto whose Essence or Definition there belongeth the *Subject*, the *Fundamentum* (seu *Ratio fundandi*); and the *Terminus*. Now where these are not the same, or any of these, the Relation is not the same: because where an Essential ingredient is wanting the Essence is wanting. Again, it must be noted, that many natural Relations are so founded in an Act past, that the Relation

lation resulteth from it without depending on any thing future. As God is Creatour, *Quia jam creavit; Pater est qui genuit.* But there are other Relations, which are founded in meer Undertaking, Mandate Authority, and Obligation to future Actions: As he is a Tutor, a School-Master, a Pilot, a Bishop, a Husband, &c. who by *Mandate* and *Undertaking* is *Authorized*, and *Obliged* to such and such works, implied in their names. And in these cases nothing more specifies the Offices than the *work* of the Office, which is the *nearest end*. And these nearest ends are ever essential to such Relations, I say, the *nearest ends*, not *remote ends*. Besides, it must be further noted, that though *Relatio in forma Relationis non recipit magis & minus: ex. gr. Titius non est magis pater quam Sempronius:* yet quoad *Subiectum & aliquando quoad Fundamentum, & Correlatum* it may *recipere magis, & minus*, so that *magis & minus* shall change the Species: This is in such case wherein the alteration of *Quantity* altereth the Capacity of the Subject *quoad finem essentialem*, For instance, To the being of a house some quantity is necessary to the end, which is Habitation, and there is no house properly that is no bigger than an egg shell; so to the being of a Ship or Church. So also in Societies, the whole world, or a kingdom is too big to be a Family. And a Family too little to be a Kingdom. These differ principally in

their *Ends*, and next in the *Quantity* of the Subject matter, because every Quantity is not capable of the same essential end.

These things being premis'd I will proceed to some other Arguments, which I will so distinctly form, that if possible I may at the same time shew what manner of Church the Lay-Dissenters generally, and their Dissenting Brethren, who are for *Lay conformity*, do say is of Divine Institution; and by comparing the one with the other see whether these Church's Dissenters are for, be of the same kind with the present Episcopal. But this in the next Section, where I must be more particular.

SECT. II.

The Difference between the present Episcopal Churches, as to Kind, and Form.

IN shewing the difference (seeing I design to be *Argumentative* in my procedure) I'll first give you my Reason for a specific Difference between the *Episcopal*, and *Congregational Churches*, and 'tis this.

Where the *specifying Ends differ*, there the *species of Relations differ*.

But

But in the Churches in *Question* the *Specifying ends differ*. Ergo.

The *Major* being unquestionable I will manifest the truth of the *Minor*, by shewing in two distinct columns what are the *Ends* of a particular Church in the Judgement of those, who are for the *Congregational species*, and of those, who are for the present *Episcopal*.

The *Ends* of a particular Church, as described by the *Congregational*.

1. Communion Sensible, and External.

2. This Communion is *Local*, or *Presential*.

3. It is *personal* by all the Body of the Church.

4. It is in the same *Individual Acts* of Gods public worship.

5. It is by washing over

The *Ends* of a Particular Church, as describ'd by the *Episcopal*.

1. Communion *Internal* in Faith, such as we have with the *Abyssine*.

2. It is *distant* only and not presential at all; For as *Diocesan* we never see each other its like in our whole lives.

3. It is *not personal* (as External and Sensible) but only by the Intervention of Delegates, Messengers, Officers or synods of such.

4. It is only in *eadem specie* of publick worship and sacred Actions, that we have Communion, but not in the same Individual Actions of worship.

5. We have no converse

or helping each other towards Heaven, by provoking each other to Love and to Good works, and if a Brother offend to tell him of his fault; to comfort each other and to live together in Holiness, Love, and Peace.

6. To be related to the same *pastours*, as those that are their Ordinary Teachers, Governours, and Guides in publick worship, as labouring amongst them, and being ensamples to the flock.

verse with one another at all as *Diocesan*, we never meet together, pray together, Hear together, exhort or watch over, or help each other, for we never know one of five hundred in the Diocess any more than men of another countrey.

6. We hear not the same Teachers, we have not the same Guides to resolve our Doubts, and to Instruct us as we need. We have the same Bishop not to call the people, but the Parsons, Vicars, &c. but not one of many hundreds of the Diocess ever seeth him.

These are most of the Differences in their *Ends*. And is it not Notorious that these *Essentiating Ends* of the two sorts of Societies are distinct, and therefore the Societies are Essentially distinct.

But seeing it is most manifest that there is a specifick Difference between a *Congregational*, and *Diocesan* Church, I need not insist much on this, the great thing to be evinc'd is, That a parochial Assembly as in pursuance of Law now formed, is not a single Church, but part of one; upon which reason

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it is mainly Istick, that the parochial Assemblies, as by Law established, do differ from a *Congregational Church* in the *Specifying ends*.

Now here it must be noted, that although *Parochial Communion* is *sensiole* and *external*, Local or Presential, yet it is not *personally* of a *whole Church*, for a Parish is but a part of a Diocesan, which is but a single Church, the Parish wants the Personal presence of a Pastour amongst them; for as I shall shew hereafter, they have no Pastour at all with them, nor any other Governing Officers to constitute them an *Organical Body*, so that they are not related to the same Pastours as those, that are their Ordinary Teachers, Governours, and Guides in publick worship, as Labouring amongst them, and being ensamples to the Flock.

I argue this

A divers Fundamentum, vel Ratio fundandi, proveth a diversity of Relations.

But a *Congregational Church*, and a *Parish Assembly* as in pursuance of the *Law of the Land* form'd and fram'd, have *fundamenta* that are in *specie divers*. Ergo.

I might fairly enough affirm, that the Controversie lying between a *Congregational*, and *Diocesan Church*, if I shew that the *Congregational* and *Diocesan Church*, have *fundamenta*, that are in *specie divers*, the present *Parish Assemblies* have *fundamenta* very different from *Congregational*

Churches, for our Discourse is of *Organical Churches*, and its undoubtedly true, that where there are no Governing Officers there is not an Organical Church, and yet that the Governing Officers, by Law established belong not to a Parish as such, but to a Diocess, and that therefore the Parish fall's not under consideration but as 'tis a part of the Diocesan. But that my Argument may be the more convincing, I will have a more special regard unto the frame and make of our present *Parish Assemblies* as in pursuance of the Law they are now erected, in shewing the different *fundamenta* of a Congregational Church, and the Diocesan, and so stick to this, that the *Parish Assemblies* do want the *fundamenta* of a Congregational Church.

Now the *fundamentum* of the Relation of a Particular Congregational Church is either 1. of the Relation of the Church to God. 2. Or their Relation as fellow members one to another. 3. Or of their joynt Relations to their Pastors or Bishops. 4. Or of their Pastors relation to them. For a Church is not only compounded of various *materials*, but its *Form* is a compound of these Four *Relations* set together, and every one is essential to it, so that where any of these is wanting, the form is wanting. As these four Relations are Essential to the Form of a particular Church, so the foundation of every of these Relations is *Mutual consent*.
The

The which *Mutual Consent* must be in order to the abovementioned *specifying Ends*.

1. *The Relation of the Members, Pastours, and the whole Church to God*; is founded in Gods Consent and theirs. Gods Consent is signified by his Scripture Institution and Command, and therefore cannot be said to consent to any Church form; but what is agreeable to his revealed will in the Scriptures. 2. By his qualifying and disposing the persons, and so *Consent's* not to the Notoriously vicious and incapable, for they are not qualified, nor duely disposed unto it. 3. By his providential giving them opportunity. The Relation of all these to God is *secondarily founded* in their own consent, that it may be a contract: They give up themselves first to God.

2. *The Relation of Members to each other*, is founded in an Explicite or Implicite Consent amongst themselves, for after they have given up themselves to God, they give up themselves to one another.

3. The other two Relations, which is of *Pastor to the People*, and of *the People to the Pastours*, is founded on *mutual Consent*, for the specifying Ends already said of such a Relation.

These being the several *Fundaments* of those Relations that are essential to the form of a Congregational Church, we will examine whether they may be found in the present *Parish Assemblies*.

1. Then

1. Then, as the Parish Assembly is form'd after the Diocesan model, God consents not.

2. Nor do the people Consent, for their Ordinary meeting together is not because of any Mutual Consent either explicite, or implicate for any Church ends, but because they inhabit in such a Parish, and the Law requires them to go to Church. The Parishioners do not explicitly nor implicitly give up themselves to God, nor to one another to hold personal Communion together in all the Ordinances of Christ according to the order of the Gospel. That they do not consent Explicitly is granted by all, and that they cannot be interpreted to consent implicitly, unless by some overt act they discovered so much, is very clear. But by what overt act do they shew that they consent implicitly? 'Tis true, they actually convene and meet together at the Parish Church, but this is not for the *Essentiating Ends* of a particular Church; they meet not there as related to a Pastor that doth ordinarily *Teach, Govern, and Guide* them, as I will more fully shew by and by.

3. Nor is there a mutual Consent between Pastour and People. As for the Parish Minister he is so very much obliged to the Diocesan Constitution by Declarations, subscriptions, and Oaths, that he cannot be esteemed *implicitly* to consent to be
their

their Pastour, for he is sworn unto the *Diocesan*, as the only Pastor of the Diocess, and the Vestries the principal men of the Parish, declare the same too. Besides nothing more clear than that the foundation of their assembling together is their being Baptized Christians, Living within such a Parish, over whom a Minister is imposed by the Patron and Bishop. Thus they differ specifically in the *Fundamenta* of the Relation.

Another Argument to prove that the present Parish Assemblies are not Congregational Churches, is taken from the Consideration that they want such a *Specifying Governing Head*. Every Society, Corporation, or Body politick hath a supreme Governing part, and as is the *Governing part*, so is that Society or Organick Body. If the Governing parts of several societies are specifically different, the Bodies Politick are also specifically different. A Corporation is specifically different from a Community or Inorganick Assembly. If then the Parish Assemblies as particular Assemblies are Inorganick, and fall under Government on no other account than as they are parts of a Diocess, they are of a different species from Congregational Churches which are Bodies Politick. But the Parishes as they are particular Assemblies are not Organick, they have no Governing Head with them. Or thus.

If the Parish Assemblies that in pursuance

fuance of the Law are *de facto* framed, have not a Presbyter or Pastour over them, they differ in *specie* from Congregational and Presbyterian Churches. But the Parish Assemblies, &c. have not a Presbyter or Pastour amongst them. *Ergo.*

In proving the *Minor*, two things must be done, 1. We must consider what is *Essential* to the Office of a Presbyter or Pastor. and 2. Shew that the Parish Minister wants *what is essential to the Office.*

I. As for what is *Essential* to the Office of a Presbyter or Pastour. The Presbyter or Pastour, being made after the image of Christ, he is Teacher, High Priest, and Ruler of his Church: Every Pastour has all these Offices in a Subserviency unto Christ. He has *Authority* and *Obligation* to Teach: To be the Churches Guide in publick worship, in Prayer, Praise, and Sacrament of Communion. He hath Authority and obligation to Rule the flock by the word of God and exercise the Church Keyes of Discipline. *Under this head,* I must with the Learned Mr. B. grant.

1. That no *Action* whatsoever as performed at the *present*, or for *some excepted season*, is essential to the Pastoral Office. A man ceaseth not to be a preacher or Pastour as soon as the Sermon is done, and he is out of the Church. When a man is asleep, or on a journey he endeth not his Office. Nor yet when he is interrupted by sickness

sickness or persecution. Nor doth a Church cease to be a Church when the Assembly is over. There is a difference between the *Constitution*, and *Administration*; the *status*, and *Exercitium*; the *Office*, and *Exercise*. Yet

2. The *exercise as intended*, and as the *Relative End*, or *Terminus* of the *Obligation*, and *Authority*, is essential to the *Office*. For when it is a Relation, that we *Question*, and that consisteth in *Obligation* and *Authority*, there is no doubt but 'tis *ad aliquid*, and is specified by the *Action*, or exercise to which men are *obliged*, and *authorized*. And it Being a *Calling*, which we speak of, and that *durante vita capacitate*, it must be such *Action* as is intended to be *ordinary*, and *constant*. So that though the *Power*, or *Habit* may be *pro tempore* without *Action*, or *Exercise*; yet this *Power*, or *Office*, to which *Exercise*, as *intended* is *Essential*, cannot be where there is a *Stated*, or *Ordinary*, and *constant suspension* of the *Exercise*. If the *Exercise* be by *Law* or *Custom* *Statedly* suspended *durante vita*, there an *Essential* of the *Power*, and *Consequently* the *Power* it self is null'd. Where there is a *Stated suspension* of the *Exercise*, there the *Obligation* is taken away: and whosoever consents to such a *stated suspension* of the *exercise*, must be interpreted to disclaim the *Authority*, and *Obligation* to *exercise*, or consent to live in the neglect of a duty to which

which by Office he is obliged. Yea more over, he that consents not to do the work of a Minister, the whole work, and that for more than a tryal or present occasion, and is not obliged and authorized to that work, at least stately as his intended ordinary course of life, is no Minister of Christ. He is no Gospel Presbyter.

II. But the *Parish Ministers* as such, are under no obligation to Teach, neither have any Authority or Obligation to Rule.

1. As *Ordained priests*, they have no Obligation to Teach. This is manifest from Canon 57. which ordains, that the Sacraments are not to be refused at the hands of Unpreaching Ministers, that is from those that have not the Ability to preach, or by Preaching to Teach the People. The Unpreaching Minister being ordain'd Priest receives at his Ordination the entire office of a Parish Priest, but yet may not have an Ability, and therefore not an Obligation to Teach; though an Ability and Obligation to Teach is Essential to a Congregational Pastor, yet a Parish Minister may be vested with the entire office of a Parish Priest without ability and Obligation to teach, any otherwise than a Child of six years old can by reading Prayers and Homilies.

2. The *Parish Minister* hath not received neither Authority, nor Obligation to Rule the flock by the word and exercise of the Keyes of Discipline. 1. That he hath not

not *Authority* nor *Obligation* is sufficiently proved from the present book of Consecrating Bishops and Ordering Priests and Deacons. 2. The Exercise is *durante vita* statedly suspended, and so cannot be considered as *intended*, which yet is essential to the Office. 3. I might here be large and enumerate several particulars; which shew, That the Parish Minister hath no part of the *Ruling Power* left him. But I wave it as unnecessary. Because what appears is enough.

3. I must muster up again thus much; A Parish Minister as *such*, differs from a Congregational Bishop, because he hath not the same Foundation for the Relation. *Ubi non est idem fundamentum, ibi non est eadem Relatio.* There is not the same *Election*, nor *Consent*. Election, or at least *Consent* of the people is the Foundation of the Congregational Bishops Office over the Congregation. It is necessary to his pastoral Relation to that Church. But the Parish Minister is by the Patrons choice, the Bishop's *approbation, institution, and induction* fully settled in Title and possession, yea a compleat Parish Minister without the people's Knowledge or Consent. So that as a Parish Minister, his Office in Relation to the Parish is not founded on their *Consent*.

This much may suffice to shew, that such are the Kinds of *Presbyterian*, but
especi-

especially of *Congregational Churches* (which is by most said to be of the same kind with our *Parishes*) I say, such are the kinds of these Churches, and such the Form of their Government, that they differ *totā specie* from the Diocesan, or present Parish frame; yea such is the kind of the Diocesan that it it destroyes both the Presbyterian and Congregational kinds of Churches. I will in the next place consider the difference between these Churches as to their *Matter* of which each Church is composed and made up.

Sect. III.

The different Matter, of which the Parish, and Congregational Churches are composed.

Touching the *Matter* of the Congregational on the one hand, and the Episcopal Churches on the other, there is a very great difference. That none are fit *matter* for particular Churches, but Baptized Christians is the Judgement both of *Episcopalians* and all the Nonconformists. And that nothing less then the Profession of a Saving Faith gives right to Baptism, and consequently to Church Communion, is held

held by both the Church of *England*, and all *Dissenters*.

But yet the *Practice* of the Church of *England* is very different from their *Principle*, for they admit to Communion all Baptized Christians, that are the *Kings born Subjects*, living within the Bounds of their Diocess, and not excommunicate, how wicked, prophane, and debauched soever, and (as has been already shewn) this the Inferiour Clergy must do: But the Congregational keeping exactly to the Church of *England Principle*, admit none to Church Communion, but such as make the profession of Saving Faith, credibly significant of the thing professed. So that really and *de facto* the matter of these Churches do differ *in specie*, the one made up of such as are visibly *Regenerate*, and the other of those who are *Regenerate*, and visibly *Unregenerate* also.

This very thing has occasioned many troublesome thoughts to divers Learned and Thinking Men of the Church of *England*, That they must require the profession of *Saving Faith* from all they baptize, and yet in contradiction to this their avowed Principle, admit all manner of debauched Persons to these Sacred Ordinances. For hereby as their practice in Admissions to the Sacrament of the Supper is dissonant from their Principle, so their Principle justifies the *Congregationalist* in his separation.

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Mr. *Humphrey* a great Antiseparist, *An.* 1669. in a Paper of *Animadversions* upon the late *Parkers Ecclesiastical Polity* gave us a just account of this point in these words, 'The *Congregationalists* (saith he) they stand here, The Church of Christ is a Number of truly Faithful Regenerate Persons. 'The *Visible Church* is defined by a *Profession* of true Regenerate Faith, and of no less than that, according to the most general Opinion of Protestant Divines. In our Parishes now they alledge, there is no profession made of true Grace by any unto Membership, at least not such as is credible, and consequently no visible Church among us. As for profession of Infants at their Baptism, that is as good as nothing to them, seeing Profession is a thing not to be required for it self, but for the signifying it to the Church, or Minister what the Person is, who makes the Profession, that accordingly he may admit or not admit them to their Communion. And as for Confirmation; they will say it is not so used, nor can any prove it to be instituted to that use in the Gospel. It follows that our *Parish Churches* being not Companies of Professors, they must gather their Churches that are such, and here lies the ground of *Separation*. Let me see what this Person will say to this point, but let him not do it rawly, without considering the Weight which is herein included. For if

' if there is nothing to be said by him, but
 ' that all the Members of our Parishes are
 ' indeed such Professors, that is, a number
 ' of such as have, or do so credibly profess
 ' their Faith, Repentance, Regeneration,
 ' and the saving Grace of God, that the
 ' Minister has received, or doth receive them
 ' thereupon, as a People endowed with all
 ' this Grace supposed, and that the visible
 ' Church must be granted according to our
 ' Protestants, and the Book of Liturgy to
 ' be a number of such, and no less Profes-
 ' sors than such: I doubt me he will prevail
 ' little more with the Nonconformist of
 ' this *make*, than to root them in their Pra-
 ' ctice, and tempt them to judge that Sepa-
 ' ration is indeed from this Principle a most
 ' apparent result, and undenyably conclu-
 ' ded. What man is there that dares revive
 ' Mr. Blake's Cause, and defend it against
 ' Mr. Baxters *Right to Sacraments*.

So far Mr. Humfrey in his *Animadversions*
on Parker's Ecclesiastical Polity: but since in
 a late Treatise entituled, *The Ax laid to the*
Root of Separation. Sect. 2. p. 35, 36. He is
 more express in these words, ' *If the Com-*
mon Opinion be received, and a profession of
no less than True Grace, or a Regenerate
Faith, be the Rule of Admission to the Church
and Sacraments? I do not see in the first place,
but we must all give up the cause of our mixed
Churches (Parochial or National) to the Se-
paratist. They who require such a profession in

the Adult as necessary to give Right to Church Communion, and do indeed understand themselves, will say, it must be a profession de presenti, Serious, Intelligent, resolved, with whatsoever else is needful to make it credibly significant of the thing they profess. So that the Person Professing must be indeed Regenerate to be able to make it, and the Persons that receive him, must look on him as Regenerate upon his making it: and what more can be imagined, for the yielding to the Congregationalist his whole Foundation? It is true, that some will persist, and say, the Independent doth require also a Church Covenant besides this Profession: But this is in good earnest to impose upon them. The Judicious among 'em will avouch, That let but a man make his Profession of the Baptismal Covenant, and his Profession be only thus qualified, which Mr. Baxter in his Books still insists upon; and there is nothing besides, but what on necessity doth arise upon a man's joyning meerly in a Society, is, or can be required of any. It is this Profession individuated into a particular Congregation is all they do, and will stand upon, even so understood, so qualified, so explained. But now such a Profession as this, will they all say, is incompatible with our Parochial, National Churches. There are none can make a Profession of what they have not: There are but few here and there that are Regenerate, and consent indeed to the Covenant, in the Sence as the Baptismal Covenant

nant is understood. There are but few that are Elect, in comparison of the multitude of others. And seeing there are none but these few (as I say) are able to make such a profession; it is they who ought and must be gathered out of the rest into their select Congregations. And what can be offered with more reason, if this indeed were Christ's Rule of Communion? I must for my part, protest therefore, as one that loves to be plain and single hearted; I see not in good earnest; but either we must come off from this Rule, or we must come over to their gathered Congregations.

All this and much more doth this Learned and Reverend Author freely, and with much Strength of Reason and Sincerity profess. Here then lies a difference between the Matter of Congregational, and that of Parochial Assemblies, or Diocesan Churches. The Congregational Churches are made up of such matter as the Generality of Protestants, the Church of England, and especially Mr. Baxter affirm it ought to be, but the matter of the Parish Assemblies is such as all these Worthies say it must not be. The Congregational Churches are for their Matter made up according to the Rule of all Protestants generally, and of the Church of England in particular. But the matter of Parochial Assemblies, or Diocesan Churches is contrary to the Protestants and Church of Englands Rule. Now then do I after Mr. Humfrey assume, that the Church

England, (and Mr. *Baxter* together) must come off from this *Rule*, or go over to the Congregational gathered Churches.

But to make this as plain as I can, it must be observed that in this part of the Controversie Mr. *Humfrey* (who either hath more clear apprehensions, or is more sincere than Mr. B.) doth not only confess that the Episcopalians are under a necessity of going over to the Congregationalist, or of altering their Rule; but in opposition to the Congregationalist proposes another Rule of Church Membership or Communion: which Rule, because it doth (as I am well assur'd) find good acceptance amongst some very Learned and Judicious Men of the Church of *England* way, I will in short give a just account of it, and shew that according to this Rule the *matter* of Parochial or Diocesan Churches differ in *Specie* from, the congregationalists, and that whilst the Congregational keep to the said Protestant Principle, they cannot hold communion with Mr. *Humfrey's* Churches.

The Notion this Worthy Divine hath of a Church, is more large than what hath been commonly received; for whereas it hath been generally held by all Protestants, That the Church, even that Church which is that Corporation of Christians, unto which the World is to be brought in by the Preaching of the Gospel, consists only of the Regenerate and Elect. Mr. *H.* adds, that
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it consists moreover of the Unregenerate, that is, of *Multitudes*, whereof the Elect are but a Few. Not that the Unregenerate, *reduplicative* qua unregenerate, but *specificative*, as they fall under some certain Qualifications, are Church Members.

He distinguisheth between the *Mystical Church*, and the *Congregate Church*, or *Church Political*, and saith, that as none but the Regenerate are Members of the former, so the Unregenerate also may be Members of the latter, but then that this may be cleared up, his discourse is of a *Twofold Covenant*, an *Universal* and *Particular*: the *Universal Covenant* or *Law*, which is the Instrument of Gods Government over all the World, and is the Rule for all men to obtain Life by, is that Covenant which God made with Man after the Fall, offering Life on easier Terms than the Covenant of Innocency did.

Of this Covenant or Law there have been three Editions, 1. An edition before the Law. 2. Under the Law. 3. Under the Gospel. And as the Administration of this Covenant has been threefold; so has the *Faith*, which is the Condition thereof, been diversified. But in every Edition, *Saving Faith* is the Condition thereof, so that no one can be in this Covenant without Saving Faith, and whosoever are in this Covenant, they are Regenerate, and of the Mystical Church.

The *particular Covenant*, which is the

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Instrument of the *Conventional Government* which is over some certain Persons, as they are gathered, or joyn'd together into Societies, unto which they are called out of the world for the glorifying Gods name in that worship and service of Him, which he hath instituted by his positive Law, precepts, or Ordinances in order to their acknowledging him to be their God in a peculiar manner, is not a Covenant that gives right to Life, but such as gives right to the *outward Ordinances* and priviledges of the Gospel. So that this particular Covenant is a step towards the Universal, and all those that perform the condition thereof are brought but into the way to Life.

To be in this particular Covenant, or under *this Conventional Government*, and to be a member of a Congregate Church is the same, which Congregate Church he makes to be the immediate Recipient of outward Ordinances.

Thus you see there are two distinct Covenants, which entitle to *distinct priviledges* on distinct Conditions. There is the *Universal Covenant*, which gives right to eternal life, on a Regenerating Faith, so that none are in this Covenant but the Regenerate, the Elect, who are members of the Mystical Church. And there is a *particular Covenant*, or the *Covenant of Advantage*, which gives right to outward Ordinances and priviledges, and such persons, that have a Faith

Faith short of *Saving Faith*, may be in this Covenant, the Unregenerate as well as Regenerate and so are members of the Congregate or political Church, for that Faith which is the Condition of this Covenant is not a Regenerating Faith. Nor is it the Shadow or Outward Shape of a Saving Faith, but a Faith specifically different from Saving Faith and a real thing, of which a man may make a Sincere profession, and remain Unregenerate. But though the man that hath this Faith only remains Unregenerate, yet he is in a much better Condition than such as have it not. For this Covenant is a Covenant of *Advantage* in divers Respects, for it gives Right to the outward priviledges, and Ordinances of the Gospel. So that now you may see why, though it be said that the Unregenerate may be in this Covenant yet not *qua* unregenerate, but *Specificative, viz,* as Unregenerate Believers.

The Author looks on this Political Church as a School wherein such persons as are wrought on by the Gospel so far as to receive that Faith, which is the Condition of this Covenant of Advantage, and are Baptized, may *there*, by the use of of the *Ordinances* as a means of Grace be brought up to that Sincerity of Heart and Life, which yet they have not and which God hath made the Condition of their Salvation.

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That then which lyes on this Learned Author as his principal work is to shew, what *this Faith* is, which falls short of justifying Faith, and yet is the condition of the Covenant of advantage, and entitles to Baptism and other outward Priveledges of the Gospel, and that the whole of this Notion is a Scripture Notion.

The Faith, which falls short of saving Faith, and gives right to Baptism and Church Communion consists in an owning the true God and his worship in opposition to all False Gods and false Religion, and consequently a subjection to the ordinances of that Worship Himself hath appointed, whereby they are converted from Heathenism to Christianity.

This is obvious in his Book, but in one place he is more particular, where he produces the *Brittish Divines* in the *Synod of Dort* for the making an *initial Faith*, as they call it (intending by it a Faith, yet short of saving Faith) to be a ground for our taking men to be qualified Members, but finding the main thing wanting, which is to tell then unto what Degree such a Faith must come, which is short of Justification, and yet gives Right to Baptism; he does adventure to pitch the measure and fix the point, when it hath been supposed that no Stint could be set, till it came to saving. *It is a Faith* (says he) *receiving the Doctrine of the Gospel, and advancing to that Degree*

as makes a man willing to come into the Society of Christians. That is, A Dogmatical Faith made perfect by consent upon the account of General Grace, as the fundamentum juris doth give Title to Church Communion.

This Faith, which he insists upon makes them willing to submit unto Christ, to come into his School, and be governed by the Laws thereof. A man receives the Christian Doctrine so far as to conform himself outwardly unto it. He believes that Christ is the Son of God. He owns the Trinity, and stands not actually guilty of any such Notorious Sin, as, if he were in the Church, he must be turned out for it. He is one that is a Saint by separation from Paganism unto Fellowship with the Political Body of Christians, and yet is not so by separation from all Ungodliness unto Fellowship with the Mystical Body of Christ. And he is one that together with his entring the Covenant of Advantage, doth engage himself also Conditionally, though not Absolutely to the Terms of the Covenant of Life, saying *Amen* to the Sanction of it.

Now in this account Mr. *H.* has given us of a Faith, short of what is saving, we may easily see wherein he differs from others, who go not the common way, and wherein this Faith of the Unregenerate differs from the Faith of Gods Elect.

It differs from the other Notions that some have given us of it in this, They make the

the Faith short of saving to be the outward Shell, or *Carcase* of saving Faith, but he makes it specifically different from saving Faith, and in assigning the difference he tells us, That though this Faith be *Consensu formata*, yet the Consent, which is essential to this Faith, differs specifically from the Consent of saving Faith: *Actus specificantur ab objectis*, and the Consent of the Dogmatical Believer is but to observe the external part of Religion. All these outward Rules and Laws that are for the Regulating his outward Conversation he will regard and obey, but to go further he'll not *absolutely* promise. He indeed conditionally engages himself to the terms of the Covenant of Life. He expects not the Remission of Sin, nor Salvation, but on his having that Faith, which is the Term of the Covenant of Life.

Here I confess it must be acknowledged that an unregenerate Man may go so far, and remain Unregenerate, and though Unregenerate, may yet make the Profession of so much Faith without Hypocrisie. The Profession may be Serious and Credibly significant of the thing professed; though in other respects he too manifestly shews himself to be Unregenerate.

But saving Faith goes further, it purifies the Heart, it brings all the Powers of the Soul into subjection to our Lord *Jesus Christ*. He consents not only to the External Duties

ties of a Christian, but moreover he engages to subject himself to all the Laws of Christ, even to those which are for the regulating the very propensities and Dispositions of the soul.

Thus we see he offers something plausible in his Adventure and speaks more intelligibly than either Mr. *Blake*, Sir W. *Morrice*, or any others, that have gone before him. For he endeavours to *shunt* the measure of a *Dogmatick* Faith, which he saith is a Faith *Consensu formata*, and this Consent absolutely is only to submit to the external Government of Christ, to those Laws and Rules, which respect the outward Conversation and this he saith is sufficient to give right to External priviledges and Advantages, for by this Faith, a man is brought into the School of Christ, and so has many advantages above the Pagan, Mahometane or Jew. He is outwardly a Christian and as such hath a Right to the outward priviledges as the Outward Jew long ago had.

This Covenant of *Peculiarity*, of which the *Dogmatick* Faith is the Condition, was, he saith, made first with *Abraham*, until which time the whole world was only under the Universal Covenant, a Covenant of Grace which gave to the Regenerate Believer a Title to Justification and Eternal life. But God made *this* Covenant with
Abraham,

Abraham, and afterward by *Moses*, and enlarged it in this Gospel day.

The Author gives many notable Reasons to confirm the truth of this as to the Jews, and from the consideration, that the Gentiles are graft in on the same olive the Jews once were, argues very learnedly to prove, that 'tis thus now in this Gospel day. And in his discourse touching the *General Grace* of God, by the participation of which the Christian Church in the first notion of it, (saith he) should be defined, he tell's us 'tis a strange thing that Divines should be able to see, How Christ, how the Spirit it self (or its help) can be the fruit of Universal Grace, and yet their eyes be holden as not to see the External Ordinances to be so, while they make the Church to consist of Regenerate only.

Note here, when Mr. *H.* endeavours to define General Grace so exactly as he does by that Free Act or Favour of God whereby he respects all men with the vouchsafement of the *same means* of Salvation, so far as *he will*, he is not to be understood, as if he placed it in an *equality* of means vouchsafed alike to every Individual person, which were an impertinent abuse of him, who accounts it *General*, because vouchsafed to the Reprobate as well as to the Elect, and affirms that God will's if man will's, or that all should have the means and the *same means* in this sence, *viz.* not so as that they actu-

(III)

actually have them, or shall enjoy them (for some have the Gospel sent them and some have not) but so as they have a *right* to them if they be willing, and no Minister can refuse them. This alone serves his purpose, *Go teach all nations baptizing them* gives them a *Right* by vertue of Christs Commission, though providence perhaps gives them never any *possession*.

There is one thing more to be regarded in his Notion, and but one thing, and that is his taking the Covenant of Advantage *Complexly*, so as to include the Covenant of Life together with them, and so there is no man can enter this Covenant, but his Faith must be Saving, and his Obedience Universal. But if the Covenant of Advantage be taken *precisely*, such a Faith as receives the Doctrine of Christ in oposition to all other Religion, and subjection to the Ordinance (as the Condition, of the Covenant of peculiarity, or Gods Conventional Government) and a Life without Scandal is all that is of Necessity to a mans Admission. But then he also distinguisheth between *What is required of persons, that come into the Church, or to the Sacraments; and what is required so as else they may not come*: and faith, no more is necessary to a man's coming so as without it he may not come, but what is necessary only to the Covenant of peculiarity considered *precisely* in Contra-distinction to the Covenant of Salvati-

vation, though, that is also necessary to the person that comes, which is required also in their complex Consideration.

This I think is the Substance of Mr. *Humsfreys* notion fairly and impartially stated, for the clearer understanding of which, we must carefully keep in mind these distinctions.

Between the	{ <i>Myistical</i> } Church.	
	{ <i>Politica</i> }	
	Covenant of	{ <i>Salvation,</i> <i>Peculiarity, or Advantage.</i>
	Grace	{ <i>General.</i> <i>Special.</i>
	Dogmatick	{ <i>Faith the Condition</i> { <i>Peculiarity.</i>
	Saving	{ of the Covenant of { <i>Life.</i>
	Distinct Priviledges	{ 1. <i>That of Peculiarity.</i>
of these 2 Covenants		{ <i>The means of Salvation.</i>
		{ 2. <i>That of Life, Justification,</i> <i>and Salvation.</i>
Unregenerate		{ <i>Reduplicative.</i> <i>Specificative.</i>
A Being in the Covenant of Peculiarity		{ <i>Complexly.</i> <i>Precisely.</i>

These Distinctions (I say must be heedfully minded, for the hinge of all turnes on them. The discourse is of the *Political Church*, which is more comprehensive than the *Myistical*, taking in some of the *Unregenerate*, who are to be considered *Specificative*, they performing the *Conditions* of the *Covenant of Advantage*, or *peculiarity*, that is, those of the *Unregenerate*, who have a *Dogmatick Faith Consensu formatam*, whereby they own God, receive the *Christian Doctrine*,
and

and subject themselves to the Ordinances of Christ, which they are enabled to do by *General Grace*, have a right to Baptism and the Lords supper, though not to Justification and Life. Now if we consider the *Covenant of peculiarity Complexly*, taking in the *Covenant of Salvation*, so none are members of the Church, but the Regenerate, and Regeneration is required of all that come into the Church, though not as a Term of their Admission.

This in short, if I mistake him not, is the Author's Notion which indeed deserves Consideration, it being an ingenious attempt for the vindicating the practice of such as admit those to the Sacraments, who have on them the visible marks and characters of Unregeneracy.

Having thus impartially given the just State of his Notion, I will now shew that though it may give some *Colour* to the Practice of the Conforming Clergy in some Parishes, yet 'twill not remove those difficulties that lye in the Congregationalists way. Not that I design here an Examination of his Notion, for I am in this Treatise but giving a *True state* of the *Controversy* between the Church of *England* and the *Congregational*. But this much I must observe.

1. That according to the Principles of the Generality of Protestants, even of the Church of *England* her self as well as of Congregationalists, the present Parishes want

fit matter for a particular Church, and so want an Essential. For Mr. H. ingeniously confesseth, that if those, who have not the Marks of Regeneration on them be not *fit matter* for Gospel Churches, the Parishes want *fit matter* and so are not particular Churches of Christ's appointment and not to be communicated with.

2. That according to Mr. Hs. own Rule, the present Parishes want *fit matter* for a Gospel Church, for though Mr. H. doth hold that the Unregenerate are *fit matter* for a Gospel Church, yet not *as such*, and so its not every Unregenerate person is *fit matter*, but some only, even those who have that Faith, which is the condition of the Covenant of Peculiarity. A profession of which Faith (if required, for where there is no reason of Questioning a Person, his willingness or offering himself is this profession with Mr. H.) is necessary to an admission to Church Communion. But we see no such profession in the Church. Besides Mr. H. adds, that those who have a Right to the Sacraments must subject themselves to the Government of Christ, and not lye under Scandal, nor be actually guilty of such Sins for which they must be excommunicated if they were in. But to an Admission unto Parish Communion 'tis sufficient that you are the Kings born Subject, that have been baptized, and not excommunicated, though of a very scandalous Life
and

Conversation, and grossly ignorant of the First Principles of the Christian Religion. So that Mr. *H*'s Rule is too short and too narrow for the Church of *England*'s Practices, and won't in the full at least excuse the Parish mix't Communion, nor can his Treatise be look'd on therefore as a satisfactory Plea for the same, the edge of his Ax being so far blunted as it hurts not those who are now call'd Separatists.

In a word, so long as the Congregationalist can defend the Old Church of *England* (which is the true Protestant Principle) about the fit matter of an instituted Gospel Church, their withholding Communion from the mixt Parish Assemblies will be sufficiently justified even by Mr. *Humfrey* himself, who labours so very hard to confute it.

SECT. IV.

The Dissenters cannot approve of those Terms of Communion imposed on them by the Church of England.

1. **T**HE Ceremonies impos'd as necessary to our holding communion with the Church of *England*, are in the judgment of the True Dissenter parts of external Worship, and because not particularly

instituted by the Lord *Jesus Christ*, Unlawful.

It must be here confessed that the Church of *England* is as much against the introducing any Humane Inventions into the worship of God, as the Dissenter can be. She holds all Uninstituted Worship to be Unlawful. To make Ceremonies Parts of Worship she disavows. And that she may defend her self against the Old Nonconformists, and the present true Dissenter she denies the Ceremonies in controversy to be parts of Divine External Worship.

For indeed the Controversie between the Church of *England* and the true Dissenter lies in this, whether the imposed Ceremonies are parts of external Divine Worship? Or whether they are but Decent Circumstances of Action?

All sound Protestants affirm that no *Civil* or *Ecclesiastical* Power can justly add any thing to the Worship of God. They all hold, that all uninstituted Worship is False Worship unlawful Worship. If then the true Dissenter can prove, that the imposed Ceremonies are by the Church of *England* made parts of External Worship, they obtain their point. And that they are made parts of External Worship, the Dissenter urges the Churches making them direct, or immediate expressions of the Reverence of the Heart unto God.

Their

Their Argument runs thus,

What is a direct or immediate expression of the Honour and Reverence of the Heart to God, is a part of External Worship.

But the imposed Ceremonies are direct and immediate Expressions of the Honour and Reverence of the Heart to God. *Ergo,*

They are parts of External Worship.

The Proposition is undeniable, and there are Arguments innumerable to prove the Assumption, and such as are taken from what several Sons of the Church of *England* say of their Ceremonies, when they tell us that the Decency of Circumstances doth lye in the expressing of Reverence and Devotion unto God.

The True Dissenter is as much for the Decency of those Circumstances that belong to Religious Actions as they are Actions, as the Church of *England* can be, but then they hold with such as Bishop *Abbot*, that Decency doth most immediately respect *Men*, not God, and that Decent circumstances of Actions, when used in Publick Worship, are of the same kind with those Decent Circumstances us'd on any Solemn civil occasion, and not being expressive of the Reverence of the Heart to God are no parts of Worship, but respecting Men, and suited to the Solemnity of the Assembly, are no other than what becomes every

solemn Assembly, though met on civil occasions.

A Decent Habit, Posture, and Place in convenient time belongs to all Solemn Assemblies, whether met for Religious or Civil ends, and indeed what is judged most Decent in Civil Assemblies is in many respects made the Rule of Decency in Religious Conventions: whence 'tis, that as in divers Counties there are different Customs observ'd in their civil meetings, so there are proportionably a like difference in their Religious Assemblies. Not that in every particular, but in some things *only*, there is an exact agreement, and in most things some Similitude and Likelines.

But the Church of *England* making their Ceremonies expressive of Reverence and Devotion unto God, do make them more than meer Decent Circumstances of Action. They cloathing them with Significancy and making them expressive of inward Worship do make them parts of External Worship in which as such, because not Divinely instituted, the true Dissenter cannot communicate with the Church of *England*.

II. The True Dissenter doth also refuse to communicate with the Church of *England* in her Liturgick Worship, Not that they esteem it unlawful meerly because there are in their Liturgy Stinted forms of Prayer, but because they believe that many of those particular Prayers contained in their Litur-

gy are both for *matter* and *manner* unsound; and because these Forms are imposed as the only publick Prayers of the Church to the exclusion and suppression of the use of all other Prayers.

The Dissenters are misrepresented by those, who say they are against the use of all prescribed Forms of Prayer, as if they would not hold communion with any that use them, how sound soever for *Matter* and *Form*, and though used with, but not to the exclusion of Spiritual and Free Prayer: I say, when they are thus represented they are abused, and a fair account of their Principles touching these things is not given.

But this they hold, I. They cannot communicate with any in those Prayers that are known to them to be very corrupt and superstitious, and yet impos'd as sound. Nor 2. Can they confine themselves to any particular Form of Prayer how sound soever to the exclusion of the use of Spiritual and free Prayer.

Sect. V.

Wherein the True Dissenter doth agree, and wherein he differs from the Church of England.

I. **T**hey agree with the Church of *England* in the Doctrinals of Religion; taking Doctrinals as distinct from those Doctrines that Relate to the Constitution of particular Churches, Ministry, Ceremonies and Discipline. They are for Decency in Worship; as much as for the use of Decent Circumstances of actions as the Church of *England*, and are not against prescribed Forms of Prayer as *such*. Besides they do believe, that there are many sound Believers and good Christians of that Communion, who do belong to the Mystical Body of Christ, and shall be saved in the day of the Lord, yea comparing the Church of *England* with all the Churches in the World, (excepting the Protestant Reformed Churches abroad and in Forreign Plantations, and the Dissenters at home) they esteem the Church of *England* in most things to be more agreeable to the Rule of the Word than those other Churches.

II. The Dissenters do further hold, That 'tis the incumbent duty of all men to do
what

what they *Lawfully* can, for the Peace of Christians in this Kingdom.

III. That if they could Conscientiously hold Communion with the Church of *England* in all Ordinances *occasionally*, 'twould be their Duty to do so *constantly*. Not that they think it Duty to communicate constantly with every Church with which they may Lawfully hold communion occasionally. But they judge the Frame and Constitution of the Church of *England*, its Ministry and Government to be such, and the Circumstances in which *English* men stand with reference to the Church of *England*, that in this case, If compleat Communion occasionally was Lawful, Fixed Communion would be a Duty. The Reasons for this are these.

1. The holding compleat Communion with the Church of *England* occasionally supposes the Terms of Communion with the Church to be Innocent and Lawful, which once granted, constant Communion on the account of its being enjoyed by *Lawful* Authority becomes a Duty.

Government is so very necessary for the conserving Peace in the World amongst men as men, that in whatsoever we can lawfully, we ought to shew our Regards and the Honourable Respects we bear both to the Government, and them that are in Authority. The doing this is to obey Nature Dictates, besides, the Fifth Command-

mandment, and the Example of *Jesus Christ* and his Apostles direct us unto this. In all things lawful we ought to obey the Higher Powers, not only for *Wrath*, but for *Conscience* sake.

What a man to escape the *Wrath* of a Magistrate may lawfully do, that for *Conscience* sake, and to escape Divine displeasure, he ought to do. In a matter of this Nature we ought to be serious, and deliberately consider, That if to escape the Penalty of a Twenty Pound a Month, we can lawfully hold Communion with the Church once a Month, whether, if the same Penalty should be by Law against abstaining from Church every Lords Day, we should not think it as lawful every Lords Day. If it be answered in the affirmative, as I presume it will be by those who judge it lawful to communicate once a Month to escape *Wrath* (for the same Cause will have the same Effect,) then 'twill follow that we must do as much for *Conscience* sake. We must do all that lawfully we can for *Conscience* sake, as well as for *Wrath*. In all things, we must needs be obedient.

2. The Peace both of the *Church* and *State* makes constant Communion a Duty, if occasional Communion be lawful: For whatever lawfully we can do for Peace we must do. If it be possible, saith the Apostle, *As much as lyeth in you live peaceable with all Men.*

Men. Rom. 12. 18. *Follow Peace with all Men*, Hebr. 12. 14. The very advantages, which the Nation where we live, and all men who profess the Protestant Religion both at home and abroad will be partakers of, is sufficient to oblige all good Men to do what lawfully they can for peace.

Shall we do more for escaping the wrath of men than for Conscience sake to evite the displeasure of a Terrible God? Is not the publick Weal more to be regarded than the Advantages of private Families, and yet will we do more to prevent a private mischief than a publick? Is not the peace of Church and state more to be valued than that of a single family, and yet will we conform to obtain the peace of Families, and refuse to do so for the peace of the whole Kingdom and Churches at home and abroad.

Constant Communion with the Church of *England* is enjoined by Authority, and 'tis what will contribute to the peace of the Kingdom, and to the Healing our Breaches, to the strengthening the Protestant interest at home and abroad, to the weakening popery, which proves so fatal unto *Civil States*, and therefore unless *Conformity*, or *Lay-communion* be unlawful, it must be done.

These things are so plain and manifest, that even the Conformists call for it, and Mr. *Baxter* and Mr. *Humfrey* (men of great Learning and Judgement among Dissenters) af-

affirm and Practice it, and therefore when ever they Preach, 'tis in conjunction with the Church of *England*. They disavow the gathering from the Church. But then

II. Their disagreement may be reduced to those three Heads, as must be brought here again into remembrance. 1. The matter. 2. The Form of instituted Churches, and 3. The Terms of Communion.

1. Some Dissenters judge that the Parish Assemblies, of which a Diocesan single Church is made up, want *fit matter* for a particular instituted Gospel Church, and so are not particular Churches. Not that they hold that there is not one good Christian that holds Communion with the Parish Assemblies. But the Assemblies as made up of all Baptized Persons not ex-communicate, how ignorant, how wicked, and how scandalous soever they may be that live within such Parish Bounds are unfit matter for a particular Church of *Christ's* Institution. And yet of such (as hath been noted in the foregoing Chapter) are the Diocesan Churches made up. Now all know that there cannot be a Christian Church where there is not Christian matter. The matter is an Essential Constitutive ingredient. If then in the Parish Churches there are not a competent Number of Christians, that is (saith Mr. Baxter) a competent number of Regenerate Persons, (for in the Dictionary of all Protestants

testants generally a *Christian* and a *Regenerate Person* are of the same signification) or as Mr. *Humfrey* (who would be thought to widen the Church, and with whom an Unregenerate Believer is a Christian) of such as have a Dogmatick Faith (*i. e.*) such as do own the Doctrines of Christ, and in opposition to the worship of False Gods, and False Religions do close with *Christ's* Worship, his Ordinances and Institutions, and submit themselves to *Christ's* Government, and abstain from such notorious Sins for which Church Members are to be cast out) they are not fit matter for the Building a particular Church. I add, if the Parishes wanting fit matter for a particular Church, according to the old Protestant Rule, must want the Essence of a Church; how much more then must they want it, if they want what is *fit matter* according to Mr. *H's* Rule. Mr. *H.* a great Antiseparatist (as I but now said) doth protest, that if by the old Protestant Rule we must judge who are *fit matter* for a particular Church, the cause must be yielded up unto the Congregationalist, for that the Parishes do most undoubtedly want *fit matter*. But

2. Whether the Parishes want *fit matter*, or not, 'tis past doubt that the *Form* of their Church constitution is opposite unto, and destructive of both the Presbyterian and Congregational Church Species.

Here

Here I will (as before I did) confine my Discourse to the Opposition there is between the *Form* of the Parishes, by Law established, and the Congregational.

That they are of different Species, that, the Parochial Form as suited to the Diocesan Model, is different from, and destructive of the Congregational kind of Churches being already proved, I will shew, How the Dissenters do from this consideration argue against communicating with the Church of *England* in their Parish Assemblies.

That the *Reader* may the more clearly comprehend the scope of the Dissenters Arguments, he must carefully observe, that the Dissenter esteems the Form of the Parish Assemblies as Diocesan to be Uninstituted, to be violations of the Second Commandment, yea destructive of Christ's Institutions: that is, the kind of the Diocesan Church, Ministry and Discipline to be destructive of *Christ's* instituted Churches, Ministry and Discipline.

The Lord *Jesus Christ*, who *eminently* is King of Saints, hath instituted particular Churches to Rule and Govern them. A particular Church is a particular Polity, in, and over which the Lord *Jesus Christ* rules. Now that same Lord, who is their King, is their Lawgiver, and he has shewn after what Form his Church shall be made. He has given us the fashion of the House, the
Laws

Laws and Ordinances. He has appointed Offices, and given commission to his Officers, and laid down Rules for the exercise of their Offices. *Christ* hath prescribed the several Offices, he has shewn the several Works, and the divers Powers of these Officers, and how they shall enter on their Office.

And whoever will narrowly search into this thing will find, That the Lord *Christ* hath so formed, and framed his Churches, that they may obtain the great end, for which they were ordained, to wit, the perfecting the Saints, the edifying the Body of *Christ*, till we all come in the Unity of the Faith, and of the Knowledge of the Son of God, unto a *Perfect Man*, unto the measure of the Stature of the Fulness of *Christ*; and the Officers appointed for this great Work are such, who in an especial manner bear on them the Image of *Jesus Christ's* Mediatorial offices, of Prophet, Priest and King, (as before hinted) being the Churches Teachers, Guides in Worship and Governours. Besides the Churches thus form'd and fram'd according to *Christ's* own Appointment, are enriched with Special and Peculiar Priviledges, which none else without the Guilt of the Highest Usurpation, can lay any claim unto. All which aright considered, it undoubtedly follows, that to break down *Christ's* Instituted Form of Churches, depose his Officers, destroy his Offices, lay aside his Laws and Rules of
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Government, set up a New Species opposite unto, and inconsistent with *Christ's* Churches, make new Offices, set up new Officers, and lay a claim to all those Privileges which are peculiar to *Christ's* own Instituted Churches, is a complicated Sin, in whose Bowels there is all imaginable aggravations. It is a Sin as odious as that of Witchcraft, yea 'tis a rejecting the Lord *Christ*, and a saying we will not have this Man to reign over us. In fine, the doing all this in the Name of *Christ* makes the Iniquity the more heinous; for to do so is to set *Christ* against himself, and a committing the worst of Villanies in the name of the most Holy Lord.

This much is so very plain, that in *Thess* all agree to the Truth hereof, even *Papists* as well as all manner of *Protestants*.

If then the Congregational kind of Churches, or the Presbyterian be of *Christ's* appointment, seeing the present *Diocesan* is so very inconsistent with and Destructive of them, 'tis impossible that either *Presbyterian*, or *Independent* that understand themselves, and know what the *Diocesan* Constitution is, should be able conscientiously to hold Communion with any in the destructive *Diocesan* frame: For to do so is to communicate with them in what is set up to the Destruction of *Christ's* Kingdom.

I'll illustrate this by a familiar comparison. Let us suppose the *Monarchial* Government.

vernment to be established on the surest foundations, and the whole Nation under an Oath to be true to this Government, and Faithful to their Prince; can any Persons notwithstanding this, go about to form themselves according to a *Republican Model*, change the old Offices, depose the Kings Officers, Rule and Govern themselves by other Laws, and this be done consistently with their Allegiance. Is not this an abhorrent thing in the very thoughts? Is not this a casting off their Prince from the Government, and a destroying the Monarchy? In like manner the Diocesan and Congregational kind of Churches, being according to us, as inconsistent with each other, as the *Republican* and *Monarchical* Government, if the Congregational be of *Christ's* Institution, what can the breaking down the Congregational Bounds, changing the Congregational Offices, deposing their Officers, setting up new after the Diocesan Model, and governing by other Laws and Rules, but a rejecting of *Christ*, a destroying his Government, and open breach of our Allegiance to him?

The thing is too plain to be more largely insisted on, and those who are for the Divine Right of a Diocesan Episcopacy see this clearly enough, who therefore allow not any of their Members to communicate with us, or any kind of Churches opposite to theirs.

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3. If the constitution of the Church of England had been sound both in *Matter* and *Form*, yet so long as their Terms of Communion are such as are in the judgement of the Dissenter sinful, 'tis unlawful for them to hold Communion with the Church of England. A Church, which for its constitution is sound, may impose such sinful Terms of Communion, whence it unavoidably follows, that those, who are conscientiously perswaded of the Sinfulness of the Terms, ought not to communicate with the imposing Church.

That we must not sin for the Sake of Communion with any Church is granted by all, the Controversy then as to this part of it lies here, *whether the imposed Ceremonies, and Eurygy made necessary both by Ecclesiastical and Canon Laws to Communion be sinful?* If sinful, we may not communicate with the Church of England, if not sinful, yet, so long as Dissenters lye under plain, and manifest Convictions of Conscience, that they are sinful, they must not communicate with the Church in their Liturgies and Ceremonies.

This is the Protestant Doctrine, and unless the Church of England can prove the Matter and Form of their Churches to be agreeable to the Divine Rule, and their Terms of Communion to be Lawful the true Dissenter must be cleared from the reproach of being a *Schismatick*.

In a word, the Disease of the Churches this day in *England*, and the chief grounds of the present Division lies here. The Diocesan Churches, as above describ'd as to their Matter and Form, their Ministry and Discipline are by Law established, as of Divine Right, as the only Churches and Ministry for English men in this Kingdom to fix their Communion with. The strict imposing the Controverted Ceremonies, and the severe punishing all those, who do not incorporate and fix their Communion with the Church of *England* on Her own terms, and punishing all those that worship God in any other way than according to the Liturgy and Practice of the Church of *England* is the great reason of the present Divisions that are amongst us.

CHAP. III.

The onely effectual Remedy for these Diseases humbly propos'd.

THe Cause of our Divisions being shewn, My last work is to offer with all due submission, what may heal our Breaches, and our Divisions, and cure our Diseases. In doing which I must descend into a more

particular enquiry after the Nature of the *Disease*, as it doth variously affect Persons of Divers tempers, and complexions, and constitutions. For there are amongst *Dissenters* men of different Principles touching the Diocesan Church State, and amongst *Conformists* there are men of divers Statures too, some of a greater latitude than others, and some men of very narrow Souls; which therefore does require much caution in those materials which have been, and are to be humbly proposed for Union. A care to be sure must be had to secure *Christ's* Institutions, together with the Peace and Quiet of the Nation. And this in such a way as may relieve tender Consciences on both sides, even those, who are zealous for the Divine Right of Parochial or Congregational Churches, and those also who think themselves deprived of what is necessary to Salvation, if the Divine Right of Episcopacy be destroyed. And some there are who think no publique Worship can be acceptable, but the Book of *Common Prayer*: Others will be for a Directory, and cannot content themselves without the use of Spiritual and ~~Free~~ Prayer.

To be yet more distinct and particular,
 1. The Christian Religion as Protestant,
 and the Civil Government, must against
 all Assaults, be defended. 2. Tender Con-
 sciences of divers sizes must be releived.
 That

That is, the Tender Consciences of Dissenters must be relieved in a way consistent with the Peace of Conscientious Conformists.

There are Holy and Judicious men on both sides, who are good *Christians*, good *Protestants*, and Loyal Subjects, of very different Opinions touching Episcopacy and the way of Worship.

About *Episcopacy*: There are some of the Dissenters so very much disgusted with it; and with Clergy Men's being concerned in *Civil Affairs*, that they never yet could be brought to the Understanding, how they may be reconciled to their being his Majesties Officers; though Episcopacy were declared to be of Humane constitution, so long as they must be still under the Bishops Inspection and charge, even when with the greatest chearfulness they can submit to some of the *Gentry's*, being placed in Office above them. But this may be from want of consideration. There are others both among the Dissenters, and Conformists, who are not *for*, and yet not so much *against* the Prelatick Episcopacy, nor against those Honours it shall please his Majesty to confer on them, but they can obey them, as his Majesties Bishops, though not as *Christs*, with perfect satisfaction. On the contrary, there are also among the Conformists a sort of Divines, who look on the Divine Right of Episcopacy, as a Fundamental Doctrine,

and that 'tis as impossible to be saved without a Bishop, as 'tis without the Sacraments. Their Bishop must be of Divine Right, or not at all; such are those new strange meteors Mr. *Dodwell*, Dr. *Sherlock*, and their Partakers.

About *Worship*. Again, some are for the present stinted *Worship*. Others for a stinted *Liturgy*, but not for this. And Others there are for *None*, they are for a *Directory* only.

Now our Rudiments for *Union* must be adjusted to the Relief of all these.

The *First* thing then that is to be had in our Eye is, the *Defence of our Religion and Government*.

For the securing which 'tis absolutely necessary, That a *National Church Government* be established on its ancient Basis.

For seeing the whole Kingdom is become Christian, our Religion is National; and therefore the Government (which must be of as ample extent as the Religion) must be National. We know that it is naturally impossible to keep up Order in a Nation among men *as men*, but by a National *Civil Government*. And for the same Reason, 'twill be as impossible to preserve Peace and Order among men, as *Religions* in a Nation without a *National Church Government*.

What Wisdom of our Ancestours, which was the Product of Long Experience, was seen

seen in nothing so much as in the erecting
a National Government within this
Land.

The *Heparchy* amongst the *Saxons*, though
under one Monarch, proved fatal. For the
Power of those little Princes being *Regal*,
they were, as so many little Territories di-
vided from each other, each endeavouring
to greaten it self by the Spoils of others;
which occasioned cruel Animosities and
Wars to the mutual ruine of each other:
which misery continued as long as the *Hep-
tarchy*.

The like would be, should the Govern-
ment of the Church (I speak now of its ex-
ternal Polity) be divided into several
distinct Diocesses independent on each other,
without any other dependance on their
Prince, than the little *Saxon* Kings had on
their Monarch.

Verily we are owing to the National Con-
stitution of our Church Government for
the Peace there is between Bishop and
Bishop, and all those Ligaments therefore
or Bonds, that are necessary to the keeping
us together as a National-Church-Corpora-
tion, and Body Politick must be fixed and
held inviolable. And this (we must know
too) is not only necessary on the account of
Peace among our selves, but because it is
also the great Bulwark against all Foreign
and Popish Invasions, and Usurpations. For
to the compleating a National Church

Government among us, 'tis absolutely necessary *That the Supreme Regent Head* (which is an essential constitutive part) on Earth be within our selves, whose interest it is to exert the utmost of his Power to defend the Church, of which he is so principal a part.

Destroy the National Church Government, and we are a naked people, open to all manner of forreign and intestine Violence. There will be no defence against Heresies, nor against the mischievous papal usurpations.

It is in the next place further requisite, That the Humane Right of this National Church Government be also resolved, nothing being more manifest than that in Christs Gospel there is no Institution nor Platform for a National Church Government. The Civil Magistrate is entrusted with a Power to regulate all those disorders amongst the Churches, that have any influence on the State. He is the Superiour *Civil* Powers, and as they have any Interest in the State, and fall into a National Corporation, that interest must be so framed as not to clash with the Civil Government. If there had been a National Church Government of Divine Right, be it either the Episcopal or Presbyterian, it would be of fatal consequence to the Government of Kingdomes.

That

That 'tis the will of God that a National Church should be under Government, I acknowledge readily; for 'tis to be subject to the Higher Powers; but to assert any *Special kind* of a National Church Government to be *jure divino*, even when no particular Species of Civil Government is affirmed to be divinely instituted, is to give the Church Government a prebeminence above Civil Government, and to make all Humane Laws so to warp, as still to be-ware of interfering with the *National Church Constitution*. For 'tis apparent, if the special kind of Government be ordained of God, its Governours and General Laws must be of divine right. Besides, the Legislative Power for the Making of particular Laws in subserviency to the General, must be in Church Governours, that is, the Clergy; whereby the King, Lords and Commons are robb'd of what by the Laws of Nature belongs unto them.

Many other things might here in the way be urged to shew, How pernicious to the Government of Civil States the asserting of the Divine Right of Episcopacy is; but I must make that another Business.

In the Third place then, after this (to be more exprefs and particular) for *securing* the Christian Protestant Religion, and Civil Government, there are these *Two* things only will be sufficient, *A Subscription to*
the

the Articles of Religion, with a Taking the Oath of Supremacy and Allegiance.

1. *A Subscription to the Articles will secure our Religion, and if the Subscription be required but according to the Statute of 13. Eliz. c. 12. it will afford no trouble to the Dissenters Conscience. Let us declare our Assent, and subscribe to all these Articles of Religion, Which concern only the Confession of the True Faith; and the Doctrine of the Sacraments comprized in a Book imprinted and entituled, Articles, &c. where the word [Only] must needs exclude matter of Ceremony and Church Government, which have been controverted by the Learned in most places. Whereas if a Subscription be required otherwise, there are many sound Protestants like to be choaked, and the Division must continue where it is. Or, if there should be any New Article substituted in the room of these, against the Divine Right of Episcopacy, and the use of the present Liturgy, it would but make many of the present Clergy, on the other hand to become Nonconformists.*

2. *The Oaths of Supremacy and Allegiance secure our Government. The one is the sure Test of a Protestant, (if not, let that be added which is taken by the Parliament) and the other is the Test of a Loyal Subject. If any Scruple the taking Oaths, and will give Pecuniary Caution, 'tis tantamount, and probably greater security to the Govern-*

vernment, for many are more afraid to part with their Money than with the Favour of Almighty God.

The Second thing to be had in our eye, is the Relief of Tender Consciences.

And now as for this.

1. If Parochial or Congregational Assemblies, which according to the Practice of the Primitive Churches abroad and in *England*, may be acknowledged to be compleat particular Churches, and suffered to enjoy the Liberty of exercising all that is proper to particular Churches of the lowest Rank and Order, *the Dissenters will be Relieved.* Especially

2. If these Parochial Churches, whose Pastour is vested with a *Fullness* of Power to administer all Ordinances, even Discipline, be left to their Liberty, Whether they will have a Liturgy, or use Spiritual and free Prayer.

3. If the Diocesan Bishops hold by no other Right than they did in Queen *Elizabeth's* days with some regulation, it may conduce to the Relief of all sorts.

For 1. If the Parochial Churches enjoy whatever is necessary to their Constitution, what need they scruple to look on, and respect the Bishop as his *Majesties* Officer? All will surely acknowledge that Christians must be subject to the Higher Powers, and be obedient to all their just Laws, and Honour

nour those that are by the supream Power placed over them. And as all Christian men fall under a twofold Consideration, namely, that of *Men*, and that of *Christians*, so they may (for ought I can see to the contrary) be employed in two distinct capacities, that is, to be both a Minister of *Christ*, and of the *King*, especially considering that their Ministry for the King relates unto matters about the Church, which most naturally falls under the cognizance of such. Besides,

2. Though the Bishop be by the Law of the Land as a Bishop, no other than the King's Officer, seeing, if he be consecrated, he hath nothing wanting to the being of a Bishop, he may by those, who are zealous for their Divine Right, be esteemed as such. The esteeming him such, is but matter of *Opinion*, and so long as he keeps it to himself, and makes no encroachment on the King's just Prerogatives, there is no danger in it.

I know there will be matter of Difficulty in adjusting this point to satisfy all, for those who esteem the Bishops to be of Divine Right, will be for their *Consecration*; and those who are zealous against the Divine Right, cannot easily distinguish between these Bishops, as they are Bishops of *Christ*, and Bishops of the *King*, and therefore will be afraid to shew any respect to them, least they be interpreted to own them as Bishops of *Christ*. To

To solve this Difficulty, it may be humbly moved, That some Bishops may be made so only by his Majesties Letters Pattens; and that others, where the greatest part of the Clergy in any particular *district* desire it, may be consecrated: And if in that District any Parishes Scruple to obey the consecrated Bishop, let them be exempt from the Bishops Jurisdiction, as heretofore has frequently been done.

An Act of Parliament with these Regulations, taken in these who are now Dissenters, into the Church of *England*, making them *Legal Parts* thereof, will end our Divisions, and make the Church of *England* formidable unto all its Adversaries. For here will be an accession of several Learned and Holy Men made to the Church; all animosities removed, heats at an end, Love, Peace and Religion flourish, to the satisfaction of the People in general, and to the greating his Majesties due Prerogatives and Glory.

Hereby all Parties have offered to them as much as they can reasonably desire. The Dissenters enjoy their longed-for Liberty; and the Bishops lose nothing of their Grandure. They may keep their Baronies and all their Church Lands, we envy them not; and those that are zealous for an opinion, let them enjoy it. If any will rejoyce in the present Liturgy, they may. And why may not others (if our Governours give

give leave) be at Peace with their Directory? And all this to the securing the Government of the State.

Only it must not be forgotten, that here is nothing in all this yet intended, but some *First Lineaments* to be improved by the perfective Skill and Wisdom of our Superiours, according to the Statesman's Art, as may best conserve our Religion and Government in a way agreeable to its antient constitution.

To conclude, If the National Church Government in this Land was ever recognized to be but *an humane*, External Civil Polity, touching Ecclesiastical matters: If Parochial or Congregational Churches, and not the Diocesan, have been by our Laws of Divine Right; if the leaving it to the choice of particular Churches, whether they use this or the other Liturgy or Directory as they thought best be agreeable to that antient Constitution: and consequently if such a Platform for Union be in all parts of it most exactly correspondent with the Sentiments which our Fore-Fathers had of the Constitution of the Government both of Church and State: then may this small endeavour of mine be looked upon perhaps by such as please to be of some Signification. The Proof of these *Postulata* is the Work of a greater Volume.

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